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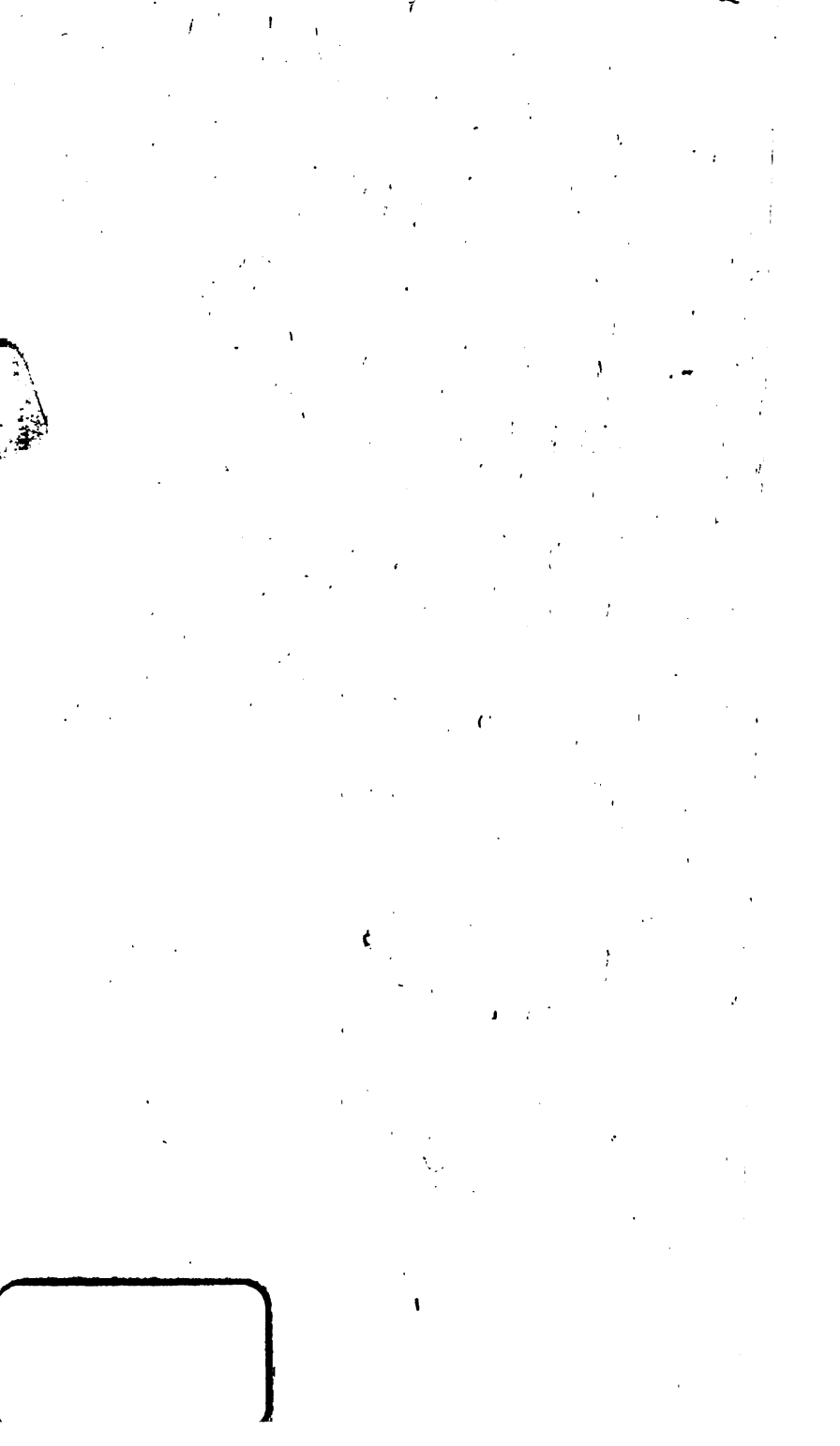
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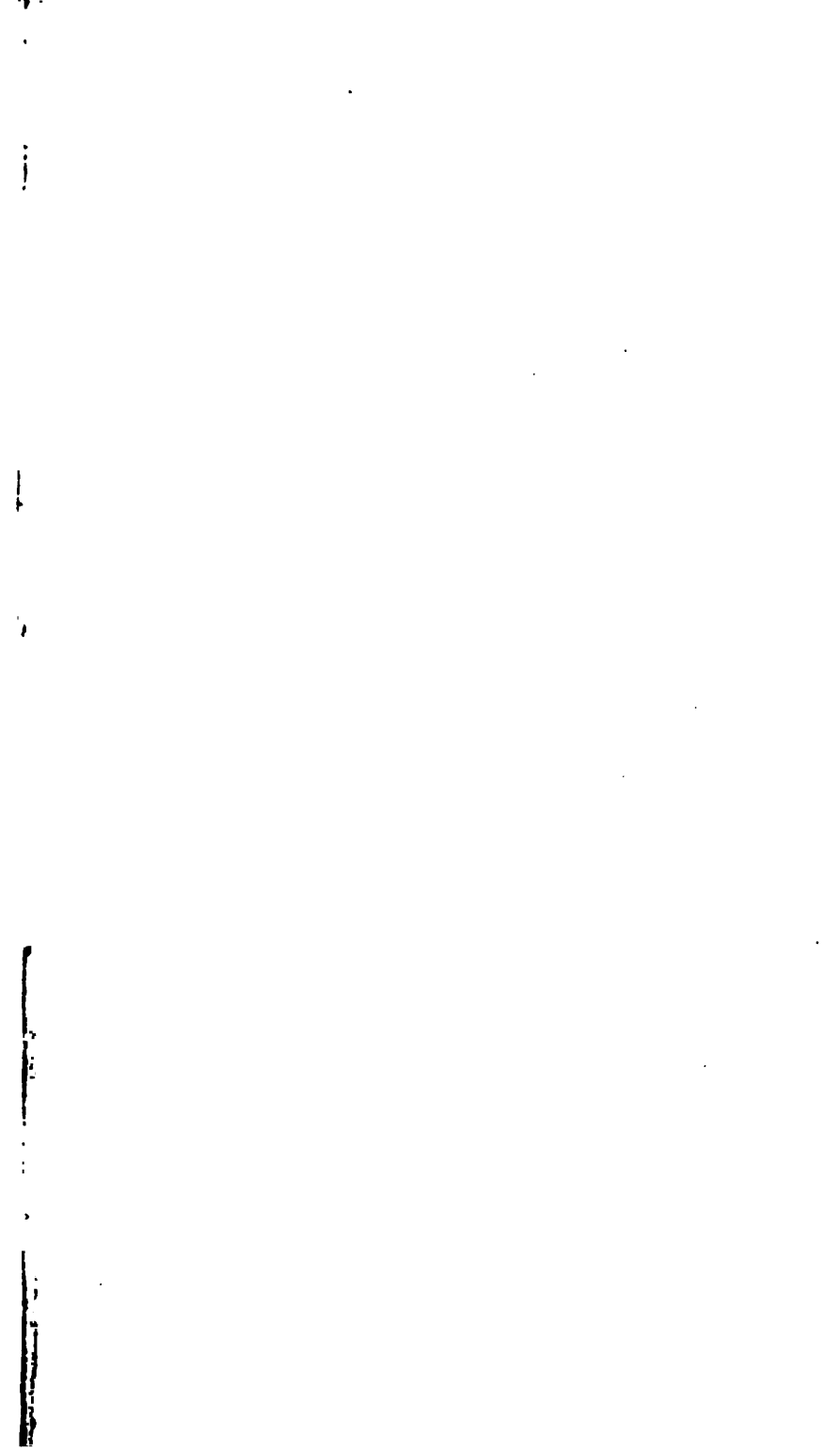
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THE  
**HISTORY**  
OF  
**SCOTLAND,**

TRANSLATED FROM THE LATIN

OF  
**GEORGE BUCHANAN;**

WITH  
**NOTES,**

AND

A CONTINUATION TO THE UNION IN THE REIGN OF QUEEN ANNE.

By JAMES AIKMAN, Esq.

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IN FOUR VOLUMES.

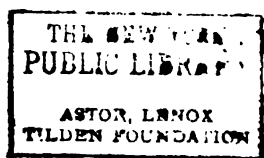
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# THE HISTORY OF SCOTLAND.

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## Book I.

THE death of the earl of Marr, left the road to the regency open to the ambition of the earl of Morton, who, supported by the interest of England, was elected to that high office without opposition, on the 24th day of November, A. D. 1572.\*

At the time of Morton's accession to the regency, the queen's party was divided into two distinct bodies, those within the castle, and those without. The chiefs of the former were Kirkcaldy of Grange, the most renowned warrior, and Maitland, younger of Lethington, the most skilful politician of the day; at the head of the latter, were the duke of Chatelleraunt, and the earl of Huntly, the two richest, and most powerful noblemen, the one in the south, and the other in the north

\* On the same day, Scotland lost one of her greatest benefactors, John Knox, at whose interment the new regent passed the well known eulogium: "There lies he who never feared the face of man," and never was eulogium better merited. Through a life of the most unvaried labour, and trying vicissitude, his intrepidity of soul remained unshaken; his constancy unmoved, and when all was dark around him, and every heart filled with dismay, his energetic eloquence imparted courage and ardour, similar to his own, into the bosoms of his fainting companions. His zeal equalled his courage, and both originated from an unfeigned exalted piety. He possessed an intuitive sagacity, which enabled him at once to perceive the best method for attaining his object, and that decision of character, which never allowed it to escape. In reproof he was perhaps severe, but he averred on his deathbed, that it was never the persons, but their vices, that were the objects of his dislike. The usual charges brought against him, are rudeness to his queen, barbarism to the monasteries and a gloomy moroseness in his general deportment; but



of Scotland. The strength of this faction, if united, and acting in concert, was such as would have easily enabled them to embarrass the government, especially, as a number of the king's party were by no means cordial in supporting the regent. Morton, therefore, resolved to treat with them separately, to receive only one of the divisions into favour, and by ruining the other, to render the whole faction incapable of disturbing his administration. As the influence of the Hamiltons and Gordons was most to be dreaded, and the extent of their estates presented the most tempting allurements, he first applied to Grange, and offered to renew the negotiations which the death of the last regent had broken off, but at the same time, intimated that it must be a separate treaty, with those in the castle alone.\* Grange, however, refused to enter into any agreement, in which the whole of his friends were not comprehended, considering himself in honour bound, to do nothing to their detriment. In the meantime, Sir Henry Killigrew, the English ambassador, endeavoured to procure a reconciliation between all parties, now that a devoted partisan of England was elected chief of the government. A correspondence was immediately entered into, under his auspices, with Chatellerault and Huntly, and the truce was renewed with them. Grange, who refused to be included in the prolongation, as soon as the term agreed on had expired, recommenced cannonading the city, and in a night sally, set fire to

while Mary was his sovereign, and till her hands were contaminated with her husband's blood, his behaviour was always respectful, and at one period, when deceived by her dissimulation, even affectionate. Considering the monasteries as the strong holds of indolence and vice, he certainly did not lament their destruction, nor think it barbarous, when a nation was emerging from ignorance and superstition, to remove the temptations, however splendid, to a return. In his social intercourse, from the traits that remain, he was rather inclined to be cheerful, though the care and anxiety which ever pressed upon him, rendered his general deportment grave. That he possessed much natural humour, his history bears indubitable marks. He was no less anxious to secure the civil, than the religious liberty of his country, and that by the wisest and best of methods, securing the instruction, and the moral improvement of the people. His long and useful life, though often in peril from the "dag and dagger," was closed at last, by a peaceful and triumphant death.

\* Melville, p. 236, 239.

the houses next the castle, during a strong westerly wind, when the whole tenements, from the foot of the rock to the Magdalen chapel, were destroyed. The estates, notwithstanding, met in the end of January, and passed several acts against papists, and those who still resisted the authority of the king.

When parliament broke up, a meeting took place at Perth, between the earl of Argyle, chancellor, the earl of Montrose, the abbot of Dunfermline, secretary, the lords Ruthven and Boyd, and Sir John Bellenden, justice-clerk, commissioners from the regent, the earl of Huntly for himself, and lord John Hamilton, commendatory of Aberbrothick, for the duke of Chatellerault, when, through the mediation of the English ambassador, a treaty was entered into, by which it was agreed, that both parties should profess and support the protestant religion, especially against the confederates of the council of Trent; that the queen's party should acknowledge the authority of the king, submit to the government of the regent, and declare all acts done by them since his majesty's coronation, illegal; that a general amnesty should be granted, and the parties on both sides restored to their estates and livings, and the heirs and successors of persons forfeited, and since dead, should be comprehended in the pacification, and also restored to their lands and possessions. The only exceptions from the pardon, were the murderers of the king and the two regents, the archbishop of Glasgow, the Scottish queen's ambassador in France, and the bishop of Ross, her ambassador in England, who were both under sentence of outlawry. But a time was stipulated, within which Grange, and these in the castle, might accede to the agreement.\*

\* Sir James Melville asserts that Grange, after the others had agreed, offered also to come in, or to accept of any reasonable conditions, but that the regent would not listen to any terms of accommodation.—*Memoirs*, p. 340. As, however, the English ambassador, before setting out for Perth, had in vain attempted to induce Grange to submit, Bannatyne, p. 433, and Spotswood is express as to the offer after he returned, I feel rather inclined to the opinion of Dr. Robertson, that it was the governor's distrust of Morton, and his proud, unbending spirit, that occasioned the negotiation to be broken off; yet the testimony of Melville is explicit, and I can only reconcile his accounts with the accounts of other writers, and the state papers of the time, Brief

The English ambassador, in consequence, repaired to the castle, and having shown Kirkaldy the treaty, to which Hamilton and Huntly had agreed, he requested him also to accede. The earl of Rothes too, and lord Boyd, waited upon him, and pointing out the certain ruin which would attend resistance, entreated him to yield, but the governor, expecting assistance from abroad, refused to comply, and even if that should fail, he did not doubt of obtaining more favourable terms than his former associates had accepted. Nor was his resolution shaken, although at this time, his brother, who had returned from France with a supply of money, was betrayed into the hands of the regent, by Sir James Balfour, a wretch who had alternately served, and deceived both parties.

The Scots were never famed for the art of besieging, and the regent at this time, was totally destitute of the means of reducing a place of such strength as Edinburgh castle, defended by so skilful a captain. He therefore sent to the queen of England, to desire a supply of soldiers and cannon, which she readily granted, and Sir William Drury, proceeded from Berwick on this service, in April, with a body of troops, and a train of artillery.

In order to prevent any future misunderstanding, the regent, previously to the march of the English, despatched lord Ruthven to arrange the conditions on which this aid should be afforded, and the manner in which the expedition should be conducted. The general of the English troops, and the Scottish commissioner, met in the church of Lamberton, at a short distance from the bounds of Berwick, and there agreed, that neither of the parties should singly enter into any arrangement with the besieged; that if the castle were taken by storm, all public property should be restored to the regent, but the other spoil should belong to the soldiers; that so far as consistent with the rules of war, the prisoners taken in the castle, should be tried by law, the regent acting by the advice of the queen of England; that the regent should furnish the English

declaration, &c. Bannatyne, p. 490. by supposing that Morton, acting upon his preconceived plan, had dealt deceitfully both with the English ambassador and with Grange, or that Grange, after his interview with Sir J. Melville had allowed himself to be influenced by the intriguing spirit of Maitland.

with all necessaries, and join them with a body of horse and foot; that the wives, or nearest relations of the soldiers slain, should receive a gratuity, to be regulated by the English general; that all the great guns destroyed in the siege, should be replaced by others of similar size, out of the castle; that the English general should not fortify on Scottish ground, without permission of the regent, and should retire immediately on the castle being reduced, and for the fulfilment of these conditions on the part of the Scots, and as a guarantee for the safe return of the English with all their stores, the chances of war excepted, the Scots were to grant hostages.\*

On the treaty being ratified, and the hostages delivered, Drury set out from Berwick, at the head of fifteen hundred men, the artillery and military stores being sent by sea. On his arrival, the regent joined him with all his forces. Next day, the castle was summoned, and an offer made to spare the lives of the garrison, if they would capitulate before the batteries were erected, but this being refused, the trenches were opened, and approaches regularly carried on. Animated with all the resolution of despair, Kirkaldy nobly defended the fortress, against the united efforts of the English and the regent, determined rather to die, than surrender himself into the hands of his inveterate enemy, nor did his gallant unsubdued spirit demand a parley, till a practicable breach was made, and a lodgment effected within the bulwarks, yet even then, he would have sought the honour of a soldier's death, had not his small garrison, worn out with fatigue, watching, and thirst—for the rubbish had choked the well without,† and the firing of the castle opening the rock, caused the water of that within to be absorbed—obliged the governor to ask a truce, which was granted for two days. During this time, he attempted in vain to obtain terms, but Morton would hearken

\* Robertson takes no notice of this convention, although both Spotswood and Crawford insert the treaty; and it appears to have been in consequence of the stipulation, forbidding any secret or distinct negotiation with the queen's party, that reference was made to Elizabeth to determine the fate of Kirkaldy and his associates after the castle fell.

† Sir James Melville says, the well without the walls, to which the men were let down by a rope was poisoned.

to nothing, except unconditional surrender. He then resolved to perish amid the ruins. His soldiers, however, seduced by the regent's emissaries, refused to hazard another assault, and he, by the advice of Lethington, surrendered himself and the castle, to Drury, the English commander, upon a promise that he should be favourably treated. There surrendered along with him, Maitland, lord Home, Sir Robert Melville, some few citizens of Edinburgh, and about one hundred and fifty, or one hundred and sixty soldiers.

The common men were dismissed, on promising not to serve against the king, and the greater part of them enlisted in the Dutch service, but those of rank were detained prisoners, till the queen of England's pleasure should be known. The regent claimed the chiefs, as guilty of rebellion, in order that they might be tried by law for their offence. To this Drury would not consent, admiring the valour of Kirkaldy, and unwilling to deliver up a man, who had trusted to his word and honour. He carried him to his own lodgings, where he treated him with that humanity and kindness, which one brave and generous spirit always shows to another, and at the same time, used every endeavour to induce the queen of England to confirm the engagements he had entered into in her name. Influenced, however, by the representations of Morton, who alleged that neither his person nor government could be secure, so long as such intriguing and inveterate enemies were alive, Elizabeth, regardless of the honour or engagements of her general, ordered the prisoners to be placed at the disposal of the regent. Drury, reluctantly complied with the imperative mandate, but immediately retired to Berwick, and threw up his commission in disgust. Morton, as soon as he obtained possession of the persons of the prisoners, committed them to separate places of confinement, and in a few days, condemned Kirkaldy, and his brother Sir James, to be hanged at the cross of Edinburgh. Thus perished by the hands of the public executioner, one of the bravest, and most generous warriors of his age, sacrificed to the jealousy or the avarice of Morton. He had been one of the earliest friends, and during the first days of peril and trial, one of the most intrepid, and successful defenders of the Reformation, but personal disgust

with Morton, or the intrigues of Maitland, fatally alienated him from the friends of his youth, and induced him to desert the cause he had laboured so strenuously to establish. Knox lamented his defection, and on his deathbed, sent him an affecting, and, as it proved, a prophetic exhortation, to leave a party, his adherence to which would bring his life to a shameful close. He despised the warning at the time, but at the place of execution, remembered it with tears. Two goldsmiths were executed along with the brothers.

Maitland, fearing a like ignominious end, is said to have escaped by a voluntary death. His talents as a statesman were certainly of the first order, but his fickleness and inconstancy, deprived him of that weight in the state, which his abilities would otherwise have commanded. Buchanan, in his *Chæmelion*, has commemorated both his genius and versatility.

By this blow, the interest of Mary was effectually broken in Scotland, and her party were never after able to make any head against that of the king. Abroad, her affairs wore no better an aspect. The duke of Alva, who had interested himself strongly in her favour, being recalled from the government of the Netherlands, and Charles IX. of France dying about the same time, she lost two of her best friends. Charles was an ardent admirer of Mary's beauty, and had sincerely interposed in her behalf, but the aversion of his mother to that princess, and his constant wars with the protestants, obstructed his exertions; while the horrible massacres which disgraced his reign, tended greatly to weaken his influence in her cause. Henry III. who succeeded him, had not the same affection for her person, and was besides, the decided enemy of the house of Guise, whose power and influence were considerably diminished, by the death of the cardinal before the end of the year.

From this date, the unhappy queen of Scots must only be considered as an exile, whose story forms an interesting episode in Scottish history, but is only incidentally connected with the affairs of that country. In England, her ambassador was dismissed from the court, and she was left to pine in the solitude of a prison, without any regular medium through

which she could convey her complaints to the ear of her oppressors, or hold any correspondence with foreign princes.

The civil war thus ended, Morton applied himself assiduously to correct the mischiefs naturally consequent on a state of internal commotion, particularly in such a country as Scotland, which had been so long rent with factions, and whose half civilized inhabitants, even in the most tranquil times, were hardly ever accustomed to regard the law. One of his first cares was to repress the disorderly borderers, whose outrages had increased during the calamities of the times, and occasioned frequent remonstrances from the English court. For this purpose he proceeded in person to the scene of action, where he had an interview with Sir John Forrester, the English warden of the middle march, to adjust all the differences which had arisen, and to concert measures for preventing their recurrence. He compelled the chiefs of the different districts to give pledges for their good behaviour, and appointed as wardens, in whom he could confide, Sir James Home of Cowdenknowes for the eastern; Sir John Carmichael, one of his principal ministers, for the middle; and lord Maxwell for the western marches.

By his vigorous proceedings the regent restored general order and tranquillity to the kingdom; but the rigour of his prosecutions, and the avarice he displayed, lost him the affections of the people, which his important services had merited. His strictness in collecting the royal revenues, and his rigidity in recalling the grants by which the crown lands had been alienated, disgusted the nobles; while the whole community were injured by the debasement of the coin, which was carried to a great extent during his administration; besides, he everywhere employed these miscreants, who in all ages have been held in detestation, and whose encouragement infallibly marks a government as tyrannical and depraved—spies and informers. By them imaginary crimes were invented, petty trespasses aggravated, and the accused were often forced to redeem their lives at the expense of their estates.\*

\* Dr. Cooke, in his History of the Church of Scotland, mentions, but without quoting his authority, a strange mode of exacting money which Morton exercised: "He also sentenced to whipping and imprisonment those who

In the midst of his exactions, there was nothing procured him more universal dislike than his conduct towards the church, from whose ministers he extorted the greater part of the slender pittance upon which, at the best, they could scarcely exist. The thirds of the benefices had been appropriated for the discharge of these stipends, but through the want of power in the collectors to enforce, or the unwillingness of those who had seized on the spoils of the church to part with any portion, they received their salaries slowly and irregularly;\* and during the commotions, the payment in some parts of the country was altogether interrupted. On pretence of remedying this evil, and to ensure a ready and available supply, the regent proposed that the thirds should be vested in the crown, under promise to make the stipend of every minister local, and payable in the parish where he served; and if upon trial this arrangement was found ineligible, he engaged, at their request, to replace them in their former situation; but no sooner did he obtain possession of the thirds, than he appointed several churches, sometimes four, to the charge of one minister, who was directed to preach in them alternately, and in his absence a reader, with a pitiful salary, performed the duty of reading prayers. The allowance to the superintendents was at the same time altogether stopped, and when they made application at court, they were informed that their office was no more necessary, bishops being placed in the diocess, and that the ecclesiastical jurisdiction belonged to them. When the ministers complained, and desired to be placed upon the same footing on which they formerly stood, they were informed that the surplus of the thirds belonged to the king, and therefore the regent and council, and not the church, ought to regulate the stipends of the ministers, and manage the remainder.

The assembly, who found, when too late, that they had acted unwisely in placing the funds allotted for their own main-

ate flesh in time of Lent, which sentences were uniformly remitted upon paying fines," vol. i. Note, p. 234.

\* Except, perhaps, during a short part of the regent Moray's administration.—M'Crie's *Life of Knox*, vol. ii. p. 160, Note. Indeed the prettexts used by Morton to induce them to surrender their right, implies as much.



tenance at the disposal of the regent, did what they could to counteract the effects of the unfortunate mistake. They determined at their meeting, March, 1574 :—That ministers, who were appointed to more churches than one, should each take the oversight of that one only where he resided, at the same time affording such assistance to the others as he could, without interfering with the duty he owed to his own particular charge. The three venerable superintendents, Erskine, Winram and Spotswood, who had laboured long and successfully in the cause of the reformed, disgusted with the indifference shown by the regent, solicited this assembly to accept their resignation, as the office was now considered unnecessary. This was, however, unanimously refused, and it was further determined by them, to mark their disapprobation of Morton's proceedings, that the bishops should not exercise any ecclesiastical jurisdiction within the bounds over which the superintendents presided, without their express consent and approbation.

Early next summer, a trifling circumstance had nearly interrupted the harmony which subsisted between the two kingdoms. At one of the usual meetings to adjust the differences which might have arisen on the borders, Sir John Carmichael, the Scottish warden, demanded, from Sir John Forrester, the warden of the opposite march, that an Englishman, who had been convicted of theft, and was a notorious offender, should be delivered up according to the law of the marches. With this demand, Forrester hesitated to comply, and appeared rather desirous of evading it. Carmichael, however, continuing to urge, some passionate language ensued, and the haughty demeanour of the English warden, appearing to his followers to be the signal for attack, they sent off a flight of arrows that killed one Scottishman, and wounded several others. The Scots, inferior in numbers, and unexpectedly surprised, were thrown into confusion, and driven from the field; but being met in their flight by some Jedburgh men, who were coming to attend the warden, they rallied, and joining with them, forced their pursuers in their turn to flee. In this rencounter, Sir George Heron, keeper of Tindale and Ridsdale, and about twenty-four common men, were slain

Sir John Forrester, Francis Russel, son to the earl of Bedford, with several others of higher rank, were taken prisoners, and sent to the earl of Morton, at Dalkeith. The regent, who regretted the unfortunate affray, detained them for a few days, till the irritation occasioned by this unlucky occurrence should subside, entertained them with great hospitality, and, after receiving their promise to appear in Scotland if called upon, dismissed them with the highest professions of regard.

Elizabeth, on being informed of what had taken place, ordered Killigrew, her ambassador in Scotland, to demand immediate satisfaction, and also to inform Morton, that she had directed the earl of Huntingdon, president of the council at York, and lieutenant of the northern counties, to repair to the borders and investigate the matter, and that she expected he would in person meet with him. Morton dared not disobey, and the two earls met at Fouldean, near the Berwick boundary, where, after a conference of some days, it was agreed that Carmichael should be sent as a prisoner to England, where he was detained for a few weeks. Elizabeth, pleased at the submissive conduct of the regent, and finding, on further inquiry, that her own warden was the original offender, ordered him to be honourably dismissed, and gratified with a present.

This disturbance was scarcely allayed, when more perplexing difficulties arose from another source—the church. To understand the nature of the dispute, and place it in a clear point of view, it is necessary to recur to some previous events. The leading feature in the government of the church of Scotland, established at the Reformation, was equality among her ministers, whose office it was to preach the gospel, and administer the sacraments; the other office-bearers in the church were, the doctor or teacher, who interpreted the Scriptures, under which denomination was included such as taught theology in schools and universities, the ruling elder, who assisted the minister in his clerical duties, and the deacon, who managed the temporalities of the church, and attended especially to the state of the poor. Besides these office-bearers, who were permanent, the necessity of the case demanded some more temporary expedients to supply the want of regular

teachers. In parishes, therefore, where there was no resident minister, pious persons, who had received a common education, were appointed to read the Scriptures and common prayers, and were called readers: if capable, they were encouraged to add a few plain exhortations to their reading, and they were then denominated exhorters. The same scarcity of regularly educated ministers gave rise to another temporary office in the church, that of superintendent, whose duty it was regularly to itinerate, for the purpose of preaching, planting churches, and inspecting the conduct of the ministers, exhorters and readers, and to each a separate district was assigned. "These men," according to the church polity presented to the convention at Edinburgh, January, 1560, "were not to be suffered to live idle, as the bishops have done heretofore, nor were they to remain, where gladly they would, but they must be preachers themselves;" and after enumerating the rest of their duties, enjoins, "that they must preach thrice a-week at least."\* In the appointment of these office-bearers, the name of bishop was carefully avoided; and instead of the enormous revenues which they had possessed, it was only required that moderate stipends should be appointed to the ministers, with an additional allowance to the superintendents, to defray their travelling expenses. Connected with this establishment, it was likewise proposed, in the book of polity, or first book of discipline, to erect three national universities, and form a system of parochial instruction.

For these purposes funds were necessary, and as the property of the church should have devolved to the public, by the abolition of the Romish hierarchy, and there were not any individual or class of men who could legally claim a title to the rents of the vacant benefices, it was considered but fair that they should be applied to the most important purposes of public instruction. A considerable number, however, of the protestant nobility and gentry had either already seized, or expected to share in the spoil, and these proposals never received the sanction of the estates.

The ministers continued to obtain a precarious support from

\* Spotswood, p. 159.

their bearers, and to complain of their indigent circumstances in vain, till towards the end of the first year after the arrival of queen Mary, when the barons required that provision should be made for their ministers, else they would allow nothing to be uplifted on account of such bishops, as still retained the temporalities of their bishoprics, although they had ceased to exercise any of their ecclesiastical functions, and who, on the arrival of the young queen, began to be looked upon with a more favourable eye. The privy council in consequence, and in order to seem not to desert the protestant clergy, and yet, at the same time, desirous to please the queen, ordered an exact account of the ecclesiastical revenues throughout the country to be taken, and divided into three parts, two of which were allowed to go to the ejected Popish clergy during life, and the other to be divided between the queen and the protestant ministers, the privy council appointing a commission, who were termed modifiers, to ascertain the proportion of each, and to fix the amount of the ministers' stipends. But this arrangement proved almost nugatory, the stipends were fixed low, and seldom fully paid.

In this state, the ministers were forced to remain, till the regency of the earl of Moray. In the parliament held immediately after his election, 1567, it was enacted:—That the thirds of the benefices should be paid to collectors appointed by the church, who should first settle the stipends of the ministers, and then account to the exchequer, an important alteration in favour of the church, which, as we have already seen, Morton, among the first acts of his regency, procured to be abrogated. But besides this, another plan, which commenced during the regency of the earl of Lennox, had been adopted during the regency of the earl of Marr, for preventing the church from receiving any accession of funds from the benefices which fell vacant; and in order to accomplish this, an innovation was introduced into the form of her government, which was afterward productive of the most mischievous consequences.

As laymen could not hold church livings, and their secularization was deemed rather too bold a step to adopt, a middle course was pursued. The hated titles were revived, and

bishoprics and other benefices were presented to such ministers as could be induced to accept them, on condition that, previous to their admission, they should make over the greater part of the revenues to the nobleman who had obtained the patronage of them from court.\*

The earl of Morton, who was all along the chief supporter of this plan, had obtained from the regent a grant of the temporalities of the see of St. Andrews, and having procured John Douglas, rector of the university, to be elected archbishop, he, in consequence of a private agreement, retained the greater part of the revenues in his own hands, allowing Douglas but a very slender stipend. At the meeting of the parliament in Stirling, 1571, Douglas was admitted to a seat, although the commissioners of the general assembly protested against this transaction, and the superintendent of Fife prohibited him to vote as one of the kirk, till admitted by the kirk, under pain of excommunication;† but the interest of Morton prevailed even over that of the regent, who was inclined to favour the representations of the church, and he ordered Davidson to vote as archbishop of St. Andrews, under pain of treason. A number of the nobility, who expected to derive similar advantages from the scheme, supported Morton; and in spite of the opposition of the ministers of the church, and the strong remonstrances and memorials of the barons, who were still sincerely attached to the principles of the reformation, and who refused even to countenance by their presence, proceedings of which they so decidedly disapproved, the measure was carried, and bishoprics and other benefices were speedily shared among the nobility, and even conferred in some instances upon minors.

It was during this parliament that the earl of Lennox was slain, and the earl of Marr succeeded as regent.

The consequences of the innovating system soon became apparent. Letters were issued by the new regent, prohibiting the collectors appointed by the church from gathering the thirds; on which, Erskine of Dun, the venerable superintend-

\* These bishops were called *Tulchan* bishops. A Tulchan is a calf's skin stuffed with straw, set up to make the cow give her milk freely.

† Calderwood, p. 48. Bannatyne, pp. 246, 250, 255, 257, 260, 285.

ent of Angus, a relation of the regent's, addressed to him a long urgent epistle, protesting against this mandate, and lamenting the late proceedings at Stirling. This, and the universal discontent which these proceedings had excited throughout the nation, induced the regent and council to call a convention of the superintendents, commissioners, and ministers, to meet at Leith in January, 1572, to consult about the polity of the kirk. Here, through the influence of the court, it was agreed that the titles of archbishop, bishop, and other ecclesiastical dignitaries, should be retained, and the bounds of the ancient diocesses should not be altered during the king's minority; it was, however, at the same time resolved, that all archbishops and bishops should enjoy no greater share of power, and should exercise no further jurisdiction in their spiritual function, than the superintendents had done, and that they should be equally subject to the assemblies of the church.

In an assembly held at Perth, August, 1572, the articles agreed on at Leith were discussed, and the following resolution adopted:—"Upon the said heads and articles," "in which [on] being considered and read, are found certain names, such as archbishop, dean, archdeacon, chancellor, chapter, which names are thought slanderous and offensive to the ears of many of the britheren, appearing to sound to papistry. Therefore, the whole assembly, in one voice, as well those that were in commission at Leith as others, solemnly protest that they mean not, by using any such names, to ratify, or consent and agree to any kind of papistry and superstition, and wish rather the names to be changed into other names that are not scandalous and offensive, and, in like manner, protest that the said heads and articles be only received as an *interim*, till further and more perfect order may be obtained at the hand of the king's majesties regent, and nobility, for which they will press as occasion shall serve; unto the which protestation the whole assembly convened, in one voice adhered." \* Thus was a mongrel species of episcopacy, to

\* Calderwood, p. 58. Dr. Cooke draws an inference from the proceedings of this assembly, which I hardly think borne out by the record. He thinks that, at this time, the church of Scotland must be considered as having adopt-

which the ministers consented only *ad interim*, and under protest, obtruded upon the church of Scotland, on purpose that a rapacious nobility might, under cover of law, secure to themselves the ecclesiastical revenues.

It was impossible that such an arrangement could be acted on for any time, without producing animosity, where the parties were constantly coming in contact with each other. As might have been expected, disputes immediately arose, and the late appropriation of the thirds by Morton, did not tend to allay them.

The bishops, although possessed of little power, and amenable to the assembly for their conduct, were objects of suspicion to the majority of the ministers, who were, besides, totally alienated from the government of Morton, by his haughtiness, avarice, and despotic measures; they dreaded too, that under his wings, his own creatures might attain a rank which would once more render them dangerous to the church, especially as it was perfectly evident to all, that the present unsettled state of the ecclesiastical government could not long continue to exist. A leader only was wanted to systematize their opposition, and such an one was found in Andrew Melville. He was a man of profound erudition, and immoveable intrepidity, keen, ardent, and perhaps sometimes rash in the prosecution of his measures, but of unsuspected integrity, and eminent piety. He had spent a considerable part of his youth in Geneva, whence he lately returned with the highest testimonials. Beza, in a letter to the General Assembly, described him as one, "equally distinguished by his piety and his erudition," and added, "that the church of Geneva could not give a stronger proof of affection to her sister of Scotland, than by suffering herself to be bereaved of him, that his native country might be enriched with his gifts." On his arrival, he was courted by the earl of Morton, and offered an office in his

ed episcopacy, and that upon rational grounds, conformable to the principles of the Reformation.—Hist. Ch. of Scot. vol. i. p. 185. But a temporary measure, adopted under protest, can scarcely be allowed to stand as one to which an assembly has agreed. It may have submitted from necessity, and this, I apprehend, is all the church of Scotland ever did to this pseudo-episcopacy.

family, the refusal of which, tended perhaps to heighten his influence in the church. A great admirer of the polity of the Genevan church, he soon began to discover his disapprobation of the late innovations introduced into that of Scotland, and finding the views of a number of the ministers congenial with his own, he seized every opportunity to express them.

In the General Assembly, which met August, 1575, John Drury, having expressed his objections as to the lawfulness of the office of bishop, Melville, in a powerful speech, seconded all his objections, and the question was immediately proposed, whether bishops, as they now are in Scotland, have their function in the Word of God or not; and whether the chapters appointed for electing them, ought to be tolerated in a Reformed church? The consideration of these being referred to a committee, after two days they presented their report, waving the first part of the question, but stating as their opinion, that if unfit persons were chosen as bishops, they ought to be tried anew, and deposed by the General Assembly, and farther reported on the following points, respecting the office of a bishop, or superintendent; that the name of bishop is common to all ministers, appointed to take charge of a particular flock, and that his function consisted of preaching, administering the sacraments, and exercising ecclesiastical discipline with the consent of his elders; that from among these, some one might be chosen to oversee and visit such reasonable bounds, beside his own flock, as the General Assembly should appoint, having power to appoint preachers, with the consent of the ministers, within their respective bounds, and of the flocks to which they might be admitted; and that they might suspend ministers from the exercise of their office for just causes, with the consent of the brethren of that district. There were six bishops in the Assembly, but they all remained silent, nor offered a word in defence of their office when the report was presented, the farther consideration of which was deferred until next meeting of Assembly. In this manner arose two parties in the church, which were afterward to convulse the state, and the history of whose struggles for ascendancy, are so deeply interwoven with the civil history of Scotland for the next century, that it is



impossible to understand the one, without in some measure being acquainted with the other.

While Morton was enriching himself at the expense of the church, and impolitically estranging from his interest, a body of men whose influence was at that time extensive, dreading no rival, he, at the same time, behaved towards the nobility and gentry in such a manner, as plainly evinced that he considered his power too secure to be shaken, and that the dignity of the noblest in the land, would not exempt them from feeling its effects.

His extortions and oppression, as long as they were confined to the middling ranks, had occasioned much discontent, but no serious resistance, and he thence falsely imagined that he might with equal impunity, attack the privileges of a proud aristocracy. But the event proved upon how frail a foundation, the fabric of his grandeur was erected. His first attempt was upon John Semple, of Biltrees, and Adam Winford, of Milneton, his treatment of whom, contributed not a little to heighten the general indignation, and awaken the fears of the nobles, particularly, as it was believed that the forfeiture of lord John Hamilton, of Aberbrothick, and his brother Claude, was what was ultimately aimed at. Mary Livingston, one of queen Mary's maids of honour, had received a gift of some lands from her royal mistress, and these Morton wished to restore to the crown, which, when Semple, to whom she was married, understood, he unguardedly exclaimed:—"If he lost the lands, he should lose his head also." This speech being reported to the regent, who had heard some vague surmise of a conspiracy, by lords John and Claude Hamilton, to assassinate him, immediately apprehended Semple, and put him to the torture, on which he confessed, as common minds in such circumstances are apt to do, whatever he was desired, and on his own confession was condemned, but pardoned at the scaffold. His uncle, Milneton, was also apprehended, and put to the torture. He, however, constantly denied having been acquainted with any such plot, and after being cruelly mangled, was set free, his firmness gained credit to his testimony, while the confession of his nephew was wholly

disregarded, as being extorted from his weakness, by the extremity of his pain.

The regent's next attack was yet more prejudicial to his power. The Scottish nobles were little accustomed in that age to obey the law, and their kings were often under the necessity of overlooking, what it might have been dangerous to attempt to punish. Argyle and Athol were two of the most powerful, and a feud had arisen between them, from a trifling, but very common occurrence, which, in the circumstances in which Morton stood, had he known his real situation, he might easily have rendered conducive to the stability of his government, by following the insidious, but safe policy, so often practised by the Scottish monarchs, of aiding the least powerful, and weakening the one most to be dreaded, or by allowing them first to waste their strength in mutual slaughter, and then effectually humbling both. One Macallum, a vassal of Argyle's, and a notorious robber, had committed some depredations in Athol, in the course of which, he was apprehended by the earl, but pardoned at the request of Argyle. Continuing, however, the same practices, Athol demanded that he should be delivered up to punishment, which the other refusing, he took arms to enforce his demand, and Argyle also armed to resist it. Both were proceeding to extremities, when the regent interposed, and compelled them to disband their forces.

In common cases, the affair would have ended here, but Morton had determined to found on their illegal proceedings, a charge of treason, and confiscate their estates. The parties, however, having obtained information of his design, were, through the intervention of friends, reconciled, and by their union, perceiving themselves sufficiently strong to set him at defiance, refused to obey his summons; to defiance Argyle added contempt, for shortly after, having received some affront from clan-Donald, he again took arms, and on being again charged to disband his forces, he not only refused to obey, but maltreated the messenger, tore his letters, and forced him, and the witnesses by whom he was accompanied, to swear that they would never return into the county of Argyle upon a similar errand. As this took place in the beginning of win-

ter, the regent, although highly incensed, could do nothing, but resolve to proclaim him rebel.

Mutual danger had united the two earls, yet though they considered themselves safe from Morton's vengeance, they never could forgive his intention of acting with them according to law, and ceased not to pursue him with implacable revenge, till they finally effected his ruin, the more remote causes of which, it is now necessary to explain.

Engaged almost entirely in the cares of government, or in plans of personal aggrandizement, Morton had almost wholly forgotten that there was a king, or that it was at all necessary to conciliate the affections of the boy, by paying any attention to those who were placed around him.

The prince, during his infancy, had been committed to the charge of the earl of Marr, and had resided securely in Stirling castle, while the different parties were striving to obtain possession of his person. The chief superintendence of his education was intrusted to Alexander Erskine, brother of the earl of Marr, upon whom the governorship of that fortress devolved at the earl's death, and when James attained the fourth year of his age, he was placed under the care of the celebrated Buchanan, with whom were associated Peter Young, and David and Adam Erskine, the two commendators of Cambuskenneth, and Dryburgh, both related to the noble family of Marr—tutors, the best the nation could afford, either for the cultivation of the mind, or of those bodily exercises, which were deemed necessary royal accomplishments in that age. The king was now in his twelfth year, and his mind, like a light soil, by the luxuriance of its premature vegetation, gave promise of a harvest which was never to ripen. He had discovered an aptitude for the languages, and had, through the assiduous attention of his preceptors, acquired a share of general knowledge, very seldom the attainment of boys of his age.\* He had, besides, an imposing fluency of expression, which appeared to casual visitors, to exhibit symptoms of

\* Mr, James Melville, who was admitted to see the young king in the ninth year of his age, speaks of him in raptures, as " the swiftest sight in Europe that day, for strange and extraordinary gifts of engyne, judgement,

talents, superior to what he in reality possessed. His teachers were highly gratified at his proficiency, and the nation, delighted with the prospect of a young sovereign, who seemed to their fond imaginations formed to reign.

Courtiers generally worship the rising sun, as soon as his first rays begin to appear above the horizon, even when the legal prince and the parent is upon the throne, but when a regent holds the sway, this assiduity is naturally redoubled, and he who knows that he must quit his elevation in a few years, ought never to forget, that at best it is painful to descend, and endeavour betimes to smooth the declivity. But Morton thought this event far distant. While others were cultivating the affections of the royal youth, or endeavouring to ingratiate themselves with his preceptors, he alone seems to have stood aloof, and not only not to have endeavoured to conciliate, but rather by personal injuries, to estrange them. The story that Melville tells, however, respecting Buchanan's irritation, does not accord well with the character of "a Stoick philosopher,"\* which he had given him only a few paragraphs before, but it is highly probable that the tyrannical government of the regent, had alienated the affections of a man who bore such a decided hatred to oppression, and it is evident his supercilious carelessness, hurt the pride of the others, who, from the situations they held, naturally expected both marks of favour and emolument.

These discontents had been long cherished in secret, but the apparent hopelessness of effecting any change, till the king was able to assume the reins of government into his own hands,

memorie and language. I heard him discourse, walking up and down in the auld lady Mar's hand, of knowlege and ignorance, to my grait marvel and astonishment." *McCrie's Life of Andrew Melville*, vol. i. p. 65.

\* "Mr. George [Buchanan] was," he says, "a Stoick philosopher, who looked not far before him." "He was also religious." "He became the earl of Morton's great enemy, for that a nag of his chanced to be taken from his servant, during the civil troubles, and was bought by the regent, who had no will to part with the said horse, he was so sure footed and so easy, that albeit Mr. George had oftentimes required him again, he could not get him. And therefore, though he had been the regent's great friend before, he became his mortal enemy, and from that time forth, spoke evil of him in all places, and on all occasions." *Melville's Memoirs*, p. 250.

had hitherto prevented their breaking out into open action. The opposition of two such powerful noblemen, as the earls of Argyle and Athol, to the existing government, afforded an opportunity which was immediately seized. No sooner was it known that they were reconciled to each other, than Sir Alexander Erskine opened a negotiation with them, and allowed them to enter secretly into the castle, and the king's presence. Argyle came first, and exhibited to James, a miserable picture of the wretched state of the country, occasioned by the mismanagement, and severity of Morton's administration. He complained of the extreme rigour with which he himself had been treated, in being denounced as a rebel, though his loyalty had ever been unimpeachable, and requested his majesty to do him justice, by assembling a council of the nobles, and ordering his cause to be legally investigated; and in the meanwhile, entreated to be allowed to remain with his majesty till the day of trial. Athol shortly after arrived, as had been preconcerted, and was introduced to the king, who immediately informed him of Argyle's complaint, and requested his advice. He, as if entirely unacquainted with the whole business, replied, that he thought the earl's petition perfectly reasonable, and that in the present state of the nation, it would be highly expedient to call a council of the nobles. This advice, so flattering to a boy of twelve, as it seemed to promise him the immediate exercise of sovereignty, delighted James, he readily complied with all that they desired, and ordered letters to be written, to summon an assembly, committing to the two earls the charge of despatching them. They took care, however, that none should be summoned but their own friends, and such as they knew were inimical to Morton, among whom were lord Maxwell, who had lately been warden of the west marches, but was then confined in Blackness castle, and lord Ogilvy, who was prisoner on parole, in the city of St. Andrews.

No sooner was the regent apprized of Argyle and Athol's having received admission to the king, and that an assembly of the nobles had been called, under pretext of trying the cause of Argyle, than he despatched the earl of Angus, lord Glammis, the chancellor, and lord Ruthven, treasurer, with a message to the king, informing him of the outrage which

Argyle had committed against his authority, and of his legal combination with Athol to disturb the public peace, and desired to know his majesty's pleasure as to the conduct he should pursue; adding, in a tone which seemed to carry the appearance of a threat, that if his highness would allow the law to take its course, he was prepared to do his duty; but if he chose to overlook their disobedience, and suffer his royal name and authority to be trampled on in the person of his servant, he hoped his highness would be pleased to relieve him from the toils of office, in which case, he recommended the preservation of peace with England, and concluded his letter with a long enumeration of the services he had rendered the king from his birth till then, only requesting, in return, to have a full approbation of his conduct ratified by the estates. A great number of noblemen having attended at Stirling, in consequence of the king's summons, Morton's letter was laid before them, when it was determined that his offer of resignation should be accepted, and that the king should take the administration of government into his own hands. The same day an express was sent to the regent, informing him of this determination.

Morton, when too late, saw the error he had committed, and endeavoured to retrieve it. He immediately despatched the earl of Whittingham, to request the king, before he made any alteration in the officers of state, to effect the reconciliation of such noblemen as were then at variance, hoping by this means to procure, at least, some delay; but it was of no avail, lord Glamis, the chancellor, and lord Herries, were sent with a written notification of the king's determination, by the advice of his nobles, to assume the government himself, and requiring him to give in his demission formally in writing, and, at the same time, to send to the king the form of discharge which he wished to be granted, that his majesty might lay it before his council for their deliberation, assuring him that he should be treated in the most gracious manner. The king accompanied this mandate with an affectionate epistle written in his own hand, in which he declared, that it was only "because he saw no other way to maintain concord among his subjects, he had accepted the government, and

that he was confident to have the defects of his age and experience supplied by his nobility, especially by himself, whom he would ever love, and acknowledge as his trusty cousin, most tender to him in blood, and one of his true and faithful counsellors." \*

Morton, unable to breast the torrent which set in so strongly against him, yielded to the tide, and assisted in person at publishing the proclamation in Edinburgh, which announced the king's assumption of the government. His friends were not more amazed than grieved at the facility with which he resigned his power into the hands of his enemies, for they did not consider the king as yet capable of acting but under direction, and maintained that no power, except the estates, could deprive him of the regency, till the term they had allotted was expired. In particular, lord Boyd, one of his most intimate friends, who only arrived a few hours after he had sent in his resignation, strongly expostulated with him on the impolicy of his conduct, and for, not having previously consulted with his adherents, reminding him that there was no medium for a falling statesman, between supreme power and utter ruin; that if he flattered himself he would find it otherwise; that he would be able to descend without danger to the ease and tranquillity of a private life, he would find himself sorely mistaken, in imagining a rest that he would never see. Had he kept his place, he continued, his friends would have rallied around him, and frustrated the designs of his enemies; but now, having deserted his own cause, there remained nothing for them but to lament the misfortune they could not remedy; and adding the prophetic wish of:—"God grant that this be the worst of things," he turned aside and burst into tears. The regent endeavoured to justify his conduct, by urging the king's letter, and the commotions which would have arisen in the nation, had he refused to comply; yet, in secret, he blamed his own precipitancy, and now he had left himself no room to retract. He therefore sent the earl of Angus, and lord Glammis, to give in to his majesty his formal resignation, and received, in return, a general approbation of

\* Spotswood says, "These be the words of the letter."

his conduct from the king, and a full pardon, in the most ample form, declaring him incapable of being accused or brought to trial for any crime, of whatever weight or magnitude, without exception, which might hereafter be alleged against him; and granting him a complete discharge for all his intromissions with money, rents, property, or casualties, which had taken place during his regency. This instrument was expressed in the strongest language, and declared to be irrevocable, the nobility, who surrounded the king, pledging themselves, under a penalty of five hundred thousand pounds, to procure a confirmation of the deed at the first meeting of parliament.

A council was immediately appointed to sit at Edinburgh, to manage the administration of affairs, and Morton retired to the quiet of Lochleven, "making," says Sir James Melville, "the walks of his garden even, his mind, in the meantime, employed in crooked paths." \*

Whether the regent had begun to perceive that he had carried matters too far—for it is evident he only wished to introduce as much of episcopacy as would enable him to manage the churchmen easily, and retain the church property he had acquired—or whether he perceived any symptoms of dissatisfaction, the precursors of that storm which afterward burst so unexpectedly upon his head, he allowed the ministers to proceed with comparatively little disturbance, in humbling the bishops, and introducing that form of church polity which they conceived more consonant to the Scriptures.†

In the first assembly, 1576, the question respecting the function of bishops was again introduced, when their equality was again affirmed; and in order that the abstract proposition

\* Melville, p. 252.

† Morton appears, about this time, to have conceived the idea of buying off the most popular leaders. He offered Andrew Melville the rich living of Govan, if he would desist from his opposition to the bishops; but the purpose of Melville was not to be shaken, and with a disinterestedness which unfortunately, even among good men is more applauded than imitated, he preferred his integrity with a small income, to a larger where the least compromise of principle was involved. He procured, however, the gift for the college of Glasgow.



should not remain a dead letter, it was determined that every bishop should take charge of a particular congregation. Nor was the judicial power of the general assembly over them allowed to slumber. James Paton, bishop of Dunkeld, having been convicted of alienating the revenues of his see, was deposed. Paton appealing, from the sentence of the assembly, to parliament, a deputation was sent to represent their proceedings to the regent, who returned for answer, that he entirely approved of their conduct ; \* but desired that some uniform rule for procedure in such cases in future should be established ; either that they would adopt the articles settled on at Leith as their standard, or devise some new form of government by which they would abide. The assembly chose the latter alternative, and informed him that they should, without delay, take the subject into their consideration, and draw up a scheme of church polity, which they would submit to the council for their approbation. For this purpose, they immediately appointed four committees ; one for the west, to meet in Glasgow ; another for Lothian, in Edinburgh ; the third for Angus, Montrose ; and the fourth for Fife, St. Andrews ; and these, after deliberating separately, were to depute each one or two of their number to meet at Stirling, and after a conference, to draw up the result in a report to the next general assembly.

There is scarcely on earth a more desolate being than a fallen minister of state, if he do not carry with him, in his retirement, the blessings of the people, and the favour of the good. The minions who basked in his sunshine are the first to desert him, and it is the interest of those who have wrought his disgrace to prevent his ever attaining the power of recovery. It was not long before Morton began to feel this. His enemies were not satisfied with his removal from office, and notwithstanding their solemn engagements, they even, before he retired to Lochleven, began to show that they had no serious intention of observing their agreement. They urged the king to demand the surrender of the castle of Edinburgh of which he was still possessed ; a sum of money, to defray

\* Calderwood, p. 70.

the expense attendant on his majesty's assuming the government; to call him to an account for his management of the mint, and the profits he had derived from it; to institute a strict inquiry into the state of the borders, and his nephew, the earl of Angus, to be deprived of the wardenship. Morton at first hesitated to deliver up the castle of Edinburgh, and appeared as if he intended to defend it, but a convoy of provisions, which he was sending to supply the place, being intercepted by the inhabitants of Edinburgh, he delivered it up without resistance to lords Ruthven and Lindsay, who took possession of the royal apartments, and the jewels of the crown, Seton of Touch, and Cunningham of Drumwhassil, at the same time, receiving the keys of the gates, but he absolutely declined to advance any money, alleging that he had sustained the expense of the civil war; that he had repaired and beautified the castles and palaces belonging to the king, and supported the royal household and the dignity of the regency, for which the revenue of the crown was inadequate; yet, when his majesty came of age, he would, without hesitation, devote his fortune to support his honour; with respect to the mint and the borders, in reply to the demands, he said he left them entirely in the hands of the king.

The confederate nobles, trusting too much to the facility with which they had deprived Morton of the regency, urged prematurely demands that necessarily took away from him any confidence he might have felt disposed to place in their honour or promises. He saw now there remained for him no hope of safety, but in a situation beyond the reach of his enemies, and he determined, if he could not regain the rank he formerly held, at least to regain the power. In this determination, he was confirmed by an unfortunate casualty, which occasioned universal grief, and placed the high office of chancellor, to the great dissatisfaction of the nation, in the hands of a papist.

Lord Glamis, on his return from his last mission to Morton, in going to report the issue to the king, followed by a numerous train, accidentally encountered, in a narrow lane, the earl of Crawford similarly attended. The two earls, between whom some quarrel subsisted, passed each other in si-

lence; but their retainers were not so quietly disposed, and a scuffle ensuing, the chancellor was mortally wounded by a pistol ball. He was a man of unblemished character, and in the situation he held, had secured the esteem of all parties by his moderation.

Athol was appointed his successor; and the earls of Caithness, Eglinton and lord Ogilvie, were at the same time chosen members of the council, all of whom were strongly suspected of being either papists or favourers of popery, a circumstance which the protestants viewed with a jealous eye, and compared with the conduct of Morton, who never committed any place of trust to either professed papists or suspected persons.\* In his retreat, styled by the people, the lion's den,† the ex-regent, who was meditating schemes of ambition, was no inattentive observer of the changes which were taking place, and the revolution in men's sentiments with regard to himself, and deeming the crisis favourable, he created, at least took advantage of some jealousies which had sprung up in the Marr family, and left his retreat once more to appear on the theatre of action. The abbots of Dryburgh and Cambuskenneth fearing, or affecting to fear, that Alexander Erskine meant to retain the sole superintendence of the royal person, even after the earl, his nephew, now a youth of twenty, had come of age, inspired young Marr with a similar suspicion; on which, he repaired suddenly to Stirling, and being admitted as usual with his attendants into the castle, seized the gates early in the morning, and turning out his uncle, who dreaded no danger, placed new guards upon the gates, and made the garrison swear fidelity. The soldiers without hesitation submitted, and thus he obtained an easy and bloodless possession, both of the king's person and of the fortress.

No sooner were the council, who remained at Edinburgh, apprised of this unexpected event, than they prepared to set out for Stirling, the inhabitants of Edinburgh offering to furnish them with a guard; but their advance was prohibited by letters from the king, who informed them, that what had taken place, was only in consequence of some private dissen-

\* Spotswood, p. 283.

† Robertson.

sions among the Marr family, which would easily be adjusted, and required them to come in a few days without any armed attendants to Stirling, and assist at the reconciliation.

This injunction was immediately obeyed, and, shortly after, a council met at Stirling, where it was agreed, that the earl of Marr, being now of age, should retain the castle, and personally attend upon the king; and that his uncle Alexander, the master of Marr, should continue captain of that of Edinburgh, but enjoy free access at all times to his majesty.

In their momentary exultation, Morton's enemies had summoned a parliament to meet at Edinburgh in the month of July. The king and his advisers, however, called a council of the nobility to assemble previously at Stirling, on the 10th of June, to arrange the business to be laid before parliament, and to which the king, by special letter, invited Morton. Morton, who was amusing the council at Edinburgh with a pretended negotiation, immediately obeyed the expected invitation, and setting out at midnight, was admitted by Murray of Tullibardine into Stirling castle. At the meeting of the nobles, he was chosen president from respect to the situation he formerly held, and managing with dexterity the advantages he had obtained, soon possessed his former ascendancy among the immediate counsellors of the king. As it would have been highly imprudent to have carried the young king to a place entirely devoted to the opposite faction, a proclamation was issued in his name, changing the place of meeting from Edinburgh to Stirling castle, "because his majesty was anxious to be present in person, and could not with propriety remove from his usual residence."

The nobles of the opposite party, who had always considered Morton as the author of this sudden revolution, although he had not hitherto appeared in any of its movements, now began openly to express their dissatisfaction; and the citizens of Edinburgh, who had long looked with jealousy at the king's abode being fixed in Stirling, now that the parliament was also to be removed thither, exhibited their discontent by the readiness with which they received and propagated rumours calculated to excite the public mind against the supporters of the late change. The king, it was at one time said, was de-

tained captive, then he was shortly to be sent to England, and now the ancient league with France was to be dissolved by the new parliament, and the country delivered in bondage to their ancient enemy, together with numberless other similar reports.

To counteract these, the council published a proclamation a few days before the parliament met, asserting, that it was the king's choice to remain in Stirling, denying that any interference would take place with the foreign relations of the nation, and affirming, that the only object in calling this parliament was, to authorize such measures as would tend to the advancement of the honour of God, the safety of the king's person, and the prosperity of the kingdom. This proclamation, however, produced little effect. The lords who were at Edinburgh determined to remain there, and send a deputation to protest against the legality of holding parliament within the walls of a fortress surrounded by armed men, where all freedom of discussion must be effectually destroyed; and to pray his majesty to prorogue the meeting to a better time, and a fitter place.

On the day appointed, however, the parliament met in the great hall of the castle, and was opened by the king himself in a short speech, immediately after which, the earl of Montrose, and lord Lindsay rose, and in the name of the council, protested against the legality of the session, from its being held in a place whither they could not repair, inasmuch as it was wholly in the power of their enemies. The two noblemen were ordered into confinement in their own lodgings, and the parliament disregarding the protest, proceeded to business. The king's assumption of the government was recognized, the act of indemnity granted to Morton confirmed, and a pension for life settled upon the countess of Marr.

Lindsay submitted to the order of court, and retired to his lodgings, but Montrose made his escape to Edinburgh, and joined the lords there, asserting that he brought his majesty's instructions to effect his rescue from the thraldom in which he was held by those he hated. Athol, the chancellor, who, together with Argyle, was at the head of the faction, on the arrival of Montrose, published a declaration, accusing Morton

of surprising by his instruments, the castle of Stirling, and the king's person; of keeping the king captive, so that his best subjects could find no access to him; of changing the place of meeting of parliament, and of levying soldiers, under the title of the king's authority, to support his own usurped power, and therefore, they were determined to deliver the king from captivity, and the kingdom from oppression. This declaration, which was widely dispersed over the kingdom, was followed up by preparations for hostilities on both sides. Athol and Argyle, were already at the head of a considerable force, and the earl of Angus, Morton's nephew, who was appointed the king's lieutenant, found himself in a few hours, in command of an army, little inferior in numbers, but superior in rank, and backed by the authority of the king, who, thus early initiated in the art of duplicity, was constrained to issue a counter manifesto, in which he declared that it was at his own desire he remained at Stirling, and was attended by the earl of Marr, in whose fidelity he could repose more confidence than in theirs, who had excited such commotions in the kingdom. When this proclamation arrived at Edinburgh, the nobles would not allow it to be published, but quickening their operations, collected their troops, and marched towards Stirling. When they halted at Falkirk, they mustered about seven thousand men. The earl of Angus, who, on hearing of their progress, had also advanced, encamped on the opposite side of the Carron with five thousand. Both parties were unwilling to strike the first blow, and Sir Robert Bowes, the English ambassador, taking advantage of this disposition, laboured incessantly to promote an accommodation.

While the negotiations were going forward, and the two armies lay in sight of each other, an incident took place, which, as omens have always had a powerful effect upon large bodies of men, might perhaps have had some influence in inclining the parties to come to a readier arrangement. One Tait, a follower of Kerr of Cessford, who was then with Athol, advanced vauntingly in front of the lines, and dared any of the horsemen of the opposite party to shiver a lance for his mistress. A retainer of the master of Glammis, named Johnston, accepted the challenge, and a small plain by the side of the

Carron, was chosen as the spot to decide the combat, both banks of the river being covered with the horsemen of the adverse armies, to witness the issue. At the first charge Tait fell, pierced through the body, and instantly expired, which the king's army accepted as a sure pledge of victory, and the others, somewhat disheartened, returned to their camp. But extremities were at this time avoided, and the endeavours of the English ambassador being successful, a treaty was concluded, by which it was agreed, that the forces on both sides should be disbanded, except a few horsemen to be kept by the king, for preserving peace on the borders; that the earls of Athol and Argyle, should have a residence appointed them in Stirling castle; that the noblemen, barons, and gentry, should have free access to the king; Montrose and Lindsay be added to the privy council, and a committee of eight noblemen chosen by the king, four from each party, be appointed to investigate all causes of dispute, and effect a perfect reconciliation.

In the late parliament, it had been agreed to send an embassy to the queen of England, to announce the king's assumption of the power in his own hands, to thank her majesty for the kindness she had shown him during his minority, and to draw the bonds of union closer between the two kingdoms. The abbot of Dunfermline, was accordingly despatched to the English court, but besides his public despatches, he carried private instructions from the king, to examine the will, and secure possession of the estates of the countess of Lennox, his grandmother, who had died lately. That lady's second son, had left one daughter, Arabella Stuart, who was born in England, and the chief objection to James' claim, being the maxim of English law, which excludes aliens from any right of inheritance within the kingdom, Elizabeth's waving this with regard to the king of Scots, would have been at once to acknowledge his right to the throne, by setting aside the English heiress. She, therefore, without allowing the subject to be discussed, ordered the rents of the estate to be sequestered by lord Burleigh, master of the wards, on purpose to teach the Scottish king a lesson of caution, as to the manner in which he should urge his more important demands. The

other parts of the embassy were graciously received, and answers expressive of the highest regard returned.\*

Notwithstanding the treaty which had been signed by the two factions, they were far from being completely reconciled. The earls of Athol and Argyle, still bearing in mind the conduct of the earl of Morton, while regent, and endeavouring to subvert his influence at court, nor was it without difficulty, that they were brought together in the king's presence at Stirling, where, after some days spent in mutual recrimination, the explanations of Morton were admitted, and the parties brought, if not to a cordial, at least to an apparent agreement.

In order to celebrate this agreement, Morton gave a splendid banquet to the principal nobility of both parties, which he pushed to the utmost extent of what was then termed Scottish hospitality. Athol, the chancellor, who was one of the number, either through the effects of the debauch, or in the common course of human events, sickened immediately, and in four days after, died at Kincardine. The violence of his disorder, and the suddenness of his death, gave rise to a suspicion that he had been poisoned, and although the physicians and surgeons who opened the body, declared upon oath, that they observed no symptoms of any deleterious substance having entered the stomach, or the least mark of any extraordinary disease, yet the relations of the chancellor protested that these declarations were unsatisfactory, and should not interrupt the course of justice; and the evident advantage which Morton derived from the opportune removal of so formidable an opponent, easily gained credit to a rumour which followed him to the scaffold. Argyle was promoted to the office of chancellor, and reconciled to Morton, who once more obtained the administration of the kingdom into his hands.

Untaught by his late narrow escape, no sooner did Morton feel himself again seated securely, as he thought, in power, than he resumed his attempts against the nobility, and his first attack was upon the house of Hamilton, who were now the only family in opposition, from whose power or influence, he imagined, he had any thing to dread, and whose extensive

\* Spotswood, pp. 284, 284. Robertson, Book vi.



estates offered a tempting bait to his cupidity, and that of the members of his faction. The earl of Arran had been confined in Draffan castle, as insane, for a considerable length of time. Lord John Hamilton, the second brother, abbot of Aberbrothick, acted as administrator of his estates, and lord Claude, was commendator of Paisley. The first, from the nature of his distemper, was incapable of committing any crime, but the two last had been accused as accessory to the death of the regents Moray and Lennox, and included in the general act of attainder on that account. In the general amnesty, granted by the articles of Perth, they who were concerned in these murders had been excepted. To them, therefore, it was resolved to apply the rigour of the law, and without bringing them to trial, it was determined to proceed upon the former sentence, as the formality of summoning them, it was alleged, would only be giving them notice to flee. A commission was in consequence, issued to the earls of Morton, Marr, and Eglinton, and lords Ruthven, Cathcart, and Boyd, to apprehend them by surprise.

To facilitate the execution of this design, Morton had previously hired a band of mercenaries, whom he kept in readiness to assemble on a few hours' notice, at whose head the commission set out without delay, to seize the persons, and confiscate the estates of the accused. The two brothers had fortunately heard of their approach. Lord John fled on foot, disguised in a seaman's dress, into England, whence he made his escape to France, and lord Claude, after lurking privately for some time in Scotland, found refuge with a friend of the late earl of Northumberland's, till an opportunity occurred for allowing him to join his brother. Their castles were, however, seized. Draffan was given up on the first summons, but Hamilton being defended for two days, on its surrender, the garrison were marched as felons to Stirling, and their captain, on the gibbet, paid the penalty of his fidelity to his chief. Still, however, there were no legal grounds for seizing the estates, as whatever might be the offences of his brothers, Arran was guiltless. By a gross perversion of law, this difficulty was overcome, the unhappy nobleman, though in a state of mental abstraction, was found answerable for the acts of his

servants, and because they had refused to obey the summons of the king, he was convicted of treason, committed to close custody, and the estates were confiscated. The revenues of lords John and Claude Hamilton were both sequestered, but the widow of the earl of Cassillis, who had been married to the commendator of Aberbrothick, was allowed to retain the jointure she had by her former husband. These arbitrary proceedings again awakened the fears of the nobles, and in order to allay them, it was found necessary to issue a proclamation in the king's name, declaring that what was done in the present instance, was only to avenge the death of his father, and the regent's, to which he was in conscience and duty bound, but that no article of the pacification should be called in question. Little did Morton think that in a few years, the same plea would be urged in justification of his own execution !

About this time, Mary, who had amused her solitary hours in embroidering a vest for her son, sent him this mark of maternal affection, with some jewels of value, and a letter by her secretary, Nave; but the letter being addressed, To our loving son James, *prince* of Scotland, the messenger was sent back to his unfortunate mistress, with the gifts, without being permitted to see the king.

Morton, who never was a favourite with the inhabitants of Edinburgh, increased the popular hatred against him, by an action equally mean and revengeful. One Turnbull, a schoolmaster, and a W. Scot,\* having written a satire against Morton in which they enumerated, with some humour, all his real or fancied delinquencies, were apprehended for this squib, and in spite of every application for mercy, were carried to Stirling, tried, and hung.

Morton had now triumphed over his enemies, and crushed all their attempts to deprive him of the chief rule in the state, but Edinburgh remained still turbulent and dissatisfied, at the want of her sovereign. To regain the good will of the inhabitants, he determined to acquiesce in their wishes, and as the

\* They appear to have been popular balladmongers in their day, "both remarkable," says Crawford, "for their good humour, and knack of rhyming, in great vogue, both with the gentry and common people." Crawford's Mem. p. 354.

king was now of an age, that would no longer admit of his being kept close in Stirling castle, to bring him to the capital, for which purpose, he summoned a parliament to meet at Edinburgh. But while preparations were making for the removal, Esme Stuart, son of a second brother of the earl of Lennox, who inherited an estate in France, the reward of his ancestors' valour, and bore the title of lord D'Aubigne, arrived in Scotland. His ostensible errand was to pay a complimentary visit to the king, his cousin, and demand possession of the estate and title of Lennox, to which he pretended some right. It was generally believed, however, that he had other objects in view. The interest of France had been long extinguished in Scotland, and all intercourse between the two courts interrupted, but anxious to regain their influence, and deeming the present a favourable opportunity, he was suspected of being employed on this errand, especially as the duke of Guise had accompanied him to the ship. His handsome appearance, and elegance of manners, easily captivated his royal relative, who, even at a more mature age, was guided by superficial accomplishments, rather than solid qualifications, in the choice of his favourites. In a few days after his arrival, he was created earl of Lennox, which the king persuaded his granduncle to resign in his favour, who, in return, received the earldom of March. The temporalities of Aberbrothick, forfeited by lord John Hamilton, were bestowed along with the earldom of Lennox, to support the dignity. At the same time was introduced to the king, captain James Stuart, second son of lord Ochiltree, remarkable for his irreligion, indecency, and want of every moral quality which can render a man estimable in society. His only virtues, if the word may be so prostituted, were suppleness and dexterity in managing his designs, and a matchless impudence and audacity in supporting them. Both were favourites, but notwithstanding the proverbial dislike of one favourite for another, and the dissimilarity of their characters, for Lennox was courteous, frank, and affable, they are said to have united without envy, and shared without animosity, the favour of the king.\*

\* I state this on the authority of Robertson, but I doubt the fact, both from its improbability, and the subsequent transactions,

At length the time for the assembling of parliament arrived, and the king, accompanied by his favourites, set out for Edinburgh. The citizens received him with the loudest acclamations of joy, and the most splendid and expensive pageants,\* Lennox walking on his right hand during the whole procession, which lasted more than an hour. The parliament afterward met, but nothing of importance was transacted.

The sudden elevation of Lennox, a foreigner, and a papist, and the influence which he possessed over the king, soon began to create alarm. It was industriously circulated by Morton and his friends, that he had been sent over from France, to corrupt the young king, and pervert his religion, and the clergy, who readily gave ear to any surmise, when they believed the protestant religion in danger, at first seconded the efforts of Morton in spreading the rumour, but when they perceived that it was only to serve a political purpose, they became cooler in the cause, though they did not cease to lament in their sermons, the countenance given to papists at

\* At some distance from the West Port, the king alighted from his horse, and a stately canopy of purple coloured velvet, being held over his head, he received the magistrates of the city, who came bareheaded all the way without the gate. Within the gate stood *Solomon*, with a numerous train, habited after the jewish, or rather the Roman manner, with the two women contending for the child, &c. As his majesty ascended the street called the West Bow, there hung down from the arch of the old gate, a large globe of polished brass, out of which a little boy, clad like a cupid, descended in a machine, and presented him with the keys of the city, all made of massy silver, and very artificially wrought, an excellent concert of music, all the while accompanying the action. When he came down the High Street, as far as the tolbooth, *Peace*, *Plenty*, and *Justice*, met him, and harangued him in Latin, Greek, and Scottish; opposite to the great church stood *Religion*, who addressed him in the Hebrew tongue, upon which he was pleased to enter the church, where Mr. Lawson made a learned discourse in behalf of the Reformed. When his majesty came out, *Bacchus* sat mounted on a gilded hog's head, distributing wine in large bumpers, the trumpets all the while sounding, and the people crying, God save the king. At the east gate was erected his majesty's nativity, and above that, the genealogies of all the Scottish kings, from Fergus I. All the windows were hung with pictures, and rich tapestry, the streets strewed with flowers, and the cannon firing all the while from the castle, till his majesty reached the palace of Holyroodhouse. Crawford's Memoirs, pp. 356, 357.

court, and the dangers to which both the king and country were exposed, through the secret machinations of the French.\*

The king, in order to stop entirely these complaints, sent for the ministers, and after informing them of the great pains he had himself taken with his cousin, in order to convert him from the errors of popery, and of his willingness to receive farther instruction, desired that one of their number might be appointed to wait upon, and converse with him; on which, Mr. David Lindsay, of Leith, was, with his approbation, nominated for this duty, and Lennox profited so much under his care, that in a very few weeks, either convinced by the force of his arguments, or induced by motives of policy, he publicly renounced popery in the church of St. Giles, and joined the church of Scotland, by signing her confession of faith. This, although it removed the ground of attack against the favourite, did not remove the jealousy of the people, which was still further increased by the interception of some dispensations sent from Rome, by which the papists were permitted to promise, swear, or subscribe, whatever they were desired, provided they privately advanced the interests of the Romish church.

This discovery was the immediate occasion of that memorable transaction, the swearing of THE NATIONAL COVENANT. It was drawn up by John Craig, and consisted of an abjuration, in the most solemn and explicit terms, of the various articles of the popish system, and an engagement to adhere to, and defend the doctrine and discipline of the Reformed church in Scotland. As the stability of the protestant religion depended "upon the safety and good behaviour of the king's majesty, as upon a comfortable instrument of God's mercy granted to this country," the covenanters promised, "under the same oath, handwrit, and pains, that we shall defend his person and authority, with our goods, bodies, and lives, in the defence of Christ's evangel, liberties of our country, ministration of justice, and punishment of iniquity, against all enemies within this realm, or without." This bond was sworn by the king and his household, and afterward, in consequence of an

\* Crawford, p. 358. Spotswood, p. 308. Robertson, Book vi.

order of the privy council, and an act of the General Assembly, by all ranks of persons throughout the kingdom, the ministers having zealously promoted the subscription of it in their respective parishes.\*

The rumours which Morton had circulated against Lennox provoked retaliation. A report was raised that he held a secret correspondence with Elizabeth, the object of which was to seize the king's person, and send him into England. As soon as this reached Morton's ears, suspecting the quarter whence it had originated, he complained to the council, and demanded a trial; but they, conscious of the difficulty of proving the allegation, unanimously expressed their disbelief of the story, and a proclamation was issued against the propagators of tales, tending to create discord between his majesty and any of his nobles. Yet as if there had been some grounds for suspicion, the office of high chamberlain, which had long lain dormant, was revived, and bestowed upon Lennox, Alexander Erskine, captain of Edinburgh castle, and Morton's bitterest enemy, being nominated his deputy, and a guard of twenty-four young noblemen, under their command, appointed to wait constantly upon the king.

Morton, fully aware of the insinuations intended to be conveyed by these precautions, meditated a retreat from court, which, unfortunately for himself, was prevented by a quarrel between lord Ruthven and the master of Oliphant. He then, as a last resource, applied to Elizabeth, who, fully sensible of his devotion to her interest, instructed Sir Robert Bowes, her ambassador, to accuse Lennox of practices against the peace of the two kingdoms. The council, affecting to doubt his powers, desired Bowes to produce his commission; but this he refused to do to any person except the king himself; on which, being denied an audience, he retired in disgust. The court, somewhat surprised at his abrupt departure, sent Sir Alexander Home to England, to expostulate with Elizabeth on the subject; but Elizabeth, who considered herself affronted in the person of her ambassador, would not admit him into her

\* Calderwood, p. 96, 97. Spotswood, p. 309. Cooke's Hist. Ch. of Scot. vol. i. p. 311.

presence, but commanded him to deliver his despatches to her treasurer, Burleigh. At the interview which followed with this minister, Burleigh, after apologizing for his being refused admittance to the queen, which he assured him proceeded from no individual dislike, as she had the highest respect for his personal character, informed him that her majesty was highly displeased at the unprecedented manner in which her ambassador had been treated, by having his commission doubted, and being required to show his instructions. She did not, however, attribute this to the king, whose youth and inexperience pleaded his excuse, but to the evil counsellors by whom he was surrounded. The treasurer then recapitulated all the services which his royal mistress had rendered the Scottish monarch, in preserving the crown upon his head, and defeating his enemies, and recommended Home to advise him to consult his true interest, by listening more respectfully to the advice of the English queen, who had ever shown him a motherly affection, and not suffer himself to be influenced by his French cousin, a subject of the French king, married to a French woman, and in heart a papist, whose object it was to head a faction, and now that the Hamiltons were banished, to procure himself to be declared next heir to the crown. Home endeavoured to reply, and after extolling James's wisdom as far above his years, was proceeding to protest the sincerity of his affection towards Elizabeth, and his strong desire to remain upon amicable terms with England, of which he was confident he could convince the queen, provided he could obtain an interview, when Burleigh interrupted him, and told him he knew there were more dangerous plots in progress than the king was aware of, and sarcastically remarked, that it was no great proof of his majesty's superior wisdom, to put such unlimited confidence in any one person. In conclusion, he told him, that it was in vain to think of being admitted to the queen, for she was determined not to see him. Upon his return home, the Scottish envoy reported to the council, his uncourteous reception in England, and the unpleasant conference he had had with the treasurer, all which was attributed to the earl of Morton, and the correspondence he carried on with the English court. The two favourites, who had long

plotted the destruction of Morton, eagerly seized the opportunity wholly to alienate the king's mind from his minister, whom he had never loved, for that nobleman, ignorant of, or despising the grand art of a courtier, had neglected to flatter, and acted rather like the tutor, than the servant of his prince. But still they had no plausible pretext for removing him from the king's council, or getting rid of a person they so much hated and feared; there was no direct evidence of his intrigues with Elizabeth, and he had received an ample pardon for all the transactions of his regency. The murder of the king's father was the only crime which could not be enumerated in a deed of grace by the son, and it had been reported at the time, that Morton was privy, or accessory to the deed. Here he was still exposed, and on this side it was determined to attack him. Captain Stuart, who never hesitated about any means that tended to promote his ambitious projects, undertook to prefer the accusation, and entering one day the council-chamber, when the council was assembled, fell on his knees, and addressed the king. "Urged, he said, by a sense of duty, he had come thither to exhibit a treason which had been too long concealed, but the safety of his majesty's person required that one who had conspired against his father, should not be permitted to retain a seat in that council; the earl of Morton had been guilty of this foul crime, and if he were committed for trial, he—Stuart—pledged himself to substantiate the charge." Morton, who was present, replied with a disdainful smile, "that he knew not by whose instigation he was accused, nor could he conceive on what grounds he was charged with a crime, he had so rigorously punished in all who were suspected, none of whom, even when suffering, had ever in the most distant manner, implicated his name. He might, he added, decline a trial in many ways, but secure in his innocence, he dreaded no investigation before any tribunal, which could only turn out to the confusion of his enemies, whose malice it would expose." Stuart, still on his knees, averred that he was instigated by nothing but anxiety for his majesty's safety and honour, and demanded of Morton how it happened that when he punished all suspected of the murder with severity, he had preferred his cousin, Mr. Archibald



Douglas, to a seat in the college of justice, a man well known to have been an accomplice? Morton was about to answer, when the king commanded both to be removed, and the council, after a short deliberation, ordered Morton to be committed. He was confined first to a chamber in the palace for two days, and on the third, conveyed to the castle, of which Alexander Erskine was the governor. Soon after, to make the measure of his indignity complete, he was sent to Dunbarton, and committed to the charge of his enemy, Lennox, who had the command of that fortress. An attempt was, at the same time made, to apprehend Archibald Douglas, but he being informed of the imprisonment of the earl, fled into England.

The friends of Morton, who, in his fall, anticipated danger to themselves, had urged him to make his escape while it was in his power, but he declared, "that he would rather die ten thousand deaths, than betray his innocency in declining trial." Elizabeth, immediately on hearing of his imprisonment, despatched Randolph, to intercede with the king for his liberation. He urged it as a personal favour to the queen, but the power of Morton's enemies was too strong, and the king too highly prepossessed against the earl, to admit of any effectual interposition. To all his solicitations, James answered, that he fully appreciated the kindnesses he had received from his sister, the queen of England, but the case of his father's murderers, was one which touched him so nearly, that he hoped her majesty would excuse him, if he declined her interference, although it would render him more anxious that the accused should have a fair trial, and every facility granted him to make his defence. Repulsed in this application, Randolph next turned to the estates, which met at that time. He there accused the earl of Lennox, as a person who attempted to alienate the king's mind from friendship with England, and had, since his arrival in Scotland, been the author of many mischievous counsels. Through his interference, the most faithful servants of the crown had been removed, and others, ill qualified for the situations, appointed in their room, who endeavoured to irritate his majesty against the ministers of the gospel, by representing them as seditious, and as disaffected

to his person ; who encouraged the licentiousness of the borderers, and had even invited foreign princes to invade England, as he could evidently show by their own intercepted correspondence, in the possession of his queen.

This effort being equally fruitless, the ambassador, as a last resource, endeavoured in private, to excite the friends of Morton, and all who hated or envied Lennox, to take arms; and effect by force the liberation of the one, and the expulsion of the other, at the same time promising a body of troops to aid them, if necessary. But all Elizabeth's intercessions and threatenings, rather accelerated, than retarded the fate of the unfortunate earl. His friends were either banished, or confined in remote counties, and his brother, the earl of Angus, because he failed to go into ward, and his own two natural sons, for not answering a summons to appear before the council, were proclaimed rebels, troops were levied, and the nation put in a state of defence, against any sudden attack on the borders.

The English ambassador, finding all his efforts to raise a sedition thus frustrated, and fearing lest his own safety might be endangered, departed privately in the night for Berwick. He was immediately followed by Sir John Seton, who had orders to complain of his conduct, and to remonstrate against the marching of troops to the Scottish borders ; but the Scottish envoy was not allowed to proceed farther than Berwick, and every thing wore a warlike appearance between the two nations. When, however, all prospect of co-operation on the part of the Scottish nobles was hopeless, Elizabeth, whose aim was to terrify the king into her measures, or to kindle once more the flames of civil discord in the distracted nation, ordered her troops to retire, as she found she could not accomplish either of these objects. But the demonstration made on the English borders, was entirely ruinous to Morton, for it enabled his enemies to raise and maintain a large armed force, by which they counteracted a scheme his friends had laid for his rescue, and which but for this must have succeeded.

Previously to the trial of the ex-regent, the estate and title of the earl of Arran, which he had so iniquitously procured to be forfeited, was bestowed upon his accuser, captain James Stuart, who, about the same time, received a commission to

proceed along with the earl of Montrose to Dunbarton, and conduct the prisoner to Edinburgh. When the commission was first shown, Morton, struck with the title of James, earl of Arran, eagerly inquired who he was, for he had not heard of Stuart's exaltation; when told, after a short pause, he replied, "Is it so? Then I know what I may look for." He was brought to Edinburgh, under an escort of one thousand men, 29th May, 1581, and on the 21st June, was brought to trial. The indictment charged him with high treason, in conspiring against the king, and concealing the murder, and in being actor, or art and part, as the Scottish law terms it, in the crime. The jury were composed of his avowed enemies, and although he challenged the earl of Argyle, and lord Seton, as being prejudiced against him, yet his objections were over-ruled, and they were admitted to sit on his assize. What was the nature of the proof adduced, has not been related by our historians, and the records of the court of justiciary respecting it, have been destroyed or lost. His peers, however, brought him in guilty of concealing, and being guilty art or part in the king's murder. He had anticipated a sentence of condemnation from the moment he saw the complexion of his jury, and the partial manner in which they were impannelled, for he afterward said he was convinced that it was the same thing, whether he had been as innocent as saint Stephen, or as guilty as Judas, his blood was sought, and he must have gone. But when the verdict was returned, charging him with being art and part guilty of the murder, he appeared considerably agitated, and striking the ground repeatedly with a small walkingstick, he exclaimed twice, "Art and part! God knows it is not so!" He heard, however, the savage sentence, which our law denounces against a traitor, and which still disgraces our statute book, pronounced without apparent emotion. As the trial had lasted the greater part of the day, and night was drawing on, he was remanded back to his place of confinement, and upon his subsequent confession, the revolting part of the punishment was remitted by the king, and he was ordered to suffer death next day, by beheading.

In that solemn interval, when the agitation and anxieties of suspense had given place to the awful certainty of his doom,

he felt, he said, a serenity of mind to which he had long been a stranger. Resigning himself to his fate, he supped cheerfully, and slept calmly for a considerable part of the night. Early next morning he was visited by several of the ministers of the city, and an interesting account of the conference, which John Durie and Walter Balcalquhan had with him, has been preserved.\* Respecting the crime for which he was condemned, he confessed that, after his return from England, whether he had been banished for "Davie's slaughter," he met Bothwell at Whittingham, who there informed him of the conspiracy against the king, and solicited him to become an accomplice, as the queen anxiously wished his death. He at first explicitly refused to have any connexion with the business, but after repeated conferences, both with Bothwell and Archibald Douglas, who was with him, and on their always urging the queen's pleasure, he required a warrant, under her own hand, authorizing the deed, before he would give any decisive answer; which, never having received, he never would consent to have any concern in the transaction. He acknowledged, too, that after the murder was committed, he was informed of it by Archibald Hamilton, one of the assassins, with whom he continued to associate, without revealing what he knew. On being reminded that his own confessions sufficiently justified his sentence, he answered, that he knew, according to the strict letter of the law, he was liable to punishment, but it ought to have been considered, that it was impossible for him to have revealed it; for to whom could he have done so? To the queen? she was the author of the plot. To the king's father? he was sic a bairn, [such a child,] that there was nothing told him but he would reveal it to her again; and the two most powerful noblemen of the kingdom, Bothwell and Huntly, were the perpetrators. "I foreknew, indeed, and concealed it," added he, "but it was because I durst not reveal it to any creature for my life; but as to being

\* The sowme of all that conference that was betwixt the erll of Mortoun and John Durie, and Mr. Walter Balcalquhen, and the chief thingis which they hard of him, whair of they can remember the day that the said erll sufferit, which was the 3d of June, 1581.—Printed at the end of Bannatyne's Journal, Edinb. 1806.

art and part in the commission of the crime, he called God to witness, he was entirely innocent.\*

The peculiar circumstances in which he was placed, if they do not exculpate, go far to extenuate the guilt of Morton. The motives for concealment were undoubtedly strong, but the severity with which he prosecuted others, not more guilty than himself, tends greatly to lessen the force of their application in his favour. He solemnly denied having any hand in the death of the earl of Athol, or that he would, on any account, have been accessory to the administration of poison. He also disowned, in the most explicit manner, his ever having entertained any idea of carrying the king out of Scotland, unless it had been to have had him crowned king of England; adding, almost in the very words of the fallen Wolsey, "I will say more, if I had been as careful to serve my God, and walk in his fear, as I was to see the king's weal, I had not been brought to the point I am this day."

In his behaviour toward the church, he acknowledged that there were some things he would not defend, but he had acted always according to the best of his judgment in the then state of the times. In other parts of his conduct, he confessed he was to blame, and had resolved, if his life had been spared, to have made reparation. When exhorted to confess his sins before God, and to own that his dealing with him was right, however unworthily he might have been treated by man, he replied, I acknowledge, indeed, that God has always done justly to me, and not only justly, but mercifully also; I acknowledge myself one of the greatest of sinners, and that I have been too deeply immersed in the pleasures of sense, and schemes of ambition, all which he might justly lay to my charge, and therefore I beseech God to be merciful to me. He then expressed a sense of the mercy he had already re-

\* Then being enquiryit in the name of the living God, that seeing this murther of the king was one of the most filthie acts that ever was done in Scotland, and that the secretis thereof as yit had not bene declared, neither yit wha was the chief deid doars, whidder he was wirriet or blawin in the aire, and therefore to declare gif he knew any farder secret therinto; he answerit, as I sall answer to God, I knew na mair secret in that matter, &c.—Confession, p. 498.

ceived, in having time and space given him to repent, and a willingness rather now to die than to live. The ministers continued long in earnest conversation, and at his request remained to breakfast, which he himself partook of, and conversed with them during the meal with great composure. He then retired to his chamber a little; after which, the ministers returned, and were with him till he ended his varied career of ambition. About two o'clock in the afternoon he dined with the clergymen who attended him, and soon after the keepers informed him that it was time to proceed to the scaffold. He replied, They have troubled me so much with worldly concerns this day—alluding to a number of interruptions he had received in the course of his religious exercises—that I thought they might have given me this one night's leisure to have communed with my God. The jailor answered, All things are ready now my lord, and I think they will not stay. I praise my God, said he, I am ready also.

On passing to the place of execution, Arran, with a callousness of heart more than usual on such an occasion, stopped him, and brought him back to his chamber, requiring him to wait till his confession should be put down in writing, and attest it by his signature. Trouble me no more, my lord, said Morton, with these things, I have now a more important concern to think of—to prepare to meet my God. I am not in a state to write, but these honest men can testify to what I have spoken. The hypocritical minion then begged to be reconciled with him, for he had done nothing against him from private enmity. This is no time to remember quarrels, answered the unfortunate nobleman, I forgive you and all others, as I wish all to forgive me. He then proceeded to the scaffold with a steady step, and after professing his adherence to the protestant faith, and again joining in some devotional exercises, he laid his head on the block, his hands being unbound, and while in the act of repeating Lord Jesus receive my soul, received the fatal stroke. His head was fixed on the tolbooth of Edinburgh, where it was suffered to remain for upwards of a year as a public spectacle, and his body, covered with a beggarly cloak, was exposed till after sunset on the scaffold, when it was carried to the common burial place of criminals

by some of the lowest of the people, unattended and unlamented, none of his friends daring to show any marks of gratitude or affection to their chief, and none of his enemies having the generosity to pay a decent respect to the remains of a man, who, for so long, had held the first office in the government of his country.\*

In person, the earl of Morton was somewhat below the middle stature, but handsome, and had a prepossessing countenance. He inherited the courage and the ambition of a Douglas. Possessed of a vigorous understanding, he was prompt in action, and decisive in his measures. Amid the turbulence of the times in which he lived, and the wreck of principle, which is the never failing consequence of anarchy, he evidently adopted the side of the Reformation, rather as a stalkinghorse to office, than upon any sincere conviction of its truth; for the licentiousness of his private life ill accorded with his public professions. When he attained power, he strenuously exerted himself to restore order, on purpose to establish himself in the high rank he had reached; but an insatiable covetousness led him to violate every form of justice, and the extortions to which it gave rise, both in church and state, by spreading universal distrust and discontent, enabled the aspiring favourites easily, and almost without a struggle, to accomplish his ruin.

The revolutions which had taken place in the government, were accompanied by others more silent, but not less important in the church. During the scramble among the statesmen for civil power, the ministers proceeded in their labours for completing her polity, and entirely remodelling her constitution. The bishops were first ordered to be disrobed of their lord-

\* The following order appears in the records of the city of Edinburgh, 1582, *Rex*. Prouest and baillies of our burgh of Edinburgh, we greit zow weill. It is our will, and we command zow that, incontinent after the sicht hereof, ze tak down the heid of James, sum tyme erll of Mortoun, of the pairt quhair it is now placeit vpon zour aw'd tolbuith, swa that the sam heid may be bureit. For the whilk, this our letter sall be to zow sufficient war-rand, subscryit with our hand at Halyrudhous, the aucht day of December, and of our reign the sext zeir, 1582. So that Morton's head must have been exhibited eighteen months, a barbarous and a disgusting spectacle.

ly titles, and addressed in the same style as other ministers; then ordered to submit as common members to the jurisdiction of the church courts, till at last, in July, 1580, the general assembly, which met at Dundee, "unanimously declared the office of bishop, as then used and commonly understood, to be destitute of warrant from the word of God, and a human invention, tending to the great injury of the church; ordained the bishops to demit their pretended office, simpliciter, and to receive admission, de novo, under pain of excommunication, after due admonition." The king's commissioner, who was present in the assembly, made no opposition.

The book of polity, which had been, during this time, maturing, was, after much labour and anxious deliberation, completed, and laid before the general assembly. In April, 1578, at their meeting, held in the Magdalene chapel of Edinburgh, it received the sanction of that body, was regarded as her authorized form of government, and has always been allowed to contain the purest standard of what came afterward to be more generally known by the denomination of presbyterian. It begins by defining the nature of a church of God, and distinguishing between the ecclesiastical and civil power; the first flows immediately from God, and is spiritual, not having any temporal head on earth, but Jesus Christ alone, who is also the only spiritual king and governor of his church; the other relates to the ordering of the state, and the peace and well being of society, and the exercise of both these jurisdictions, cannot consistently centre in the same person. The ministers are subject to the magistrates in external things, and the magistrates owe obedience to the discipline of the kirk in matters of conscience and religion. It is proper for kings, princes, and magistrates, to be called lords over those whom they govern civilly; but it is proper to Christ alone to be called lord and master in the spiritual government of his church, and they who bear rule in it, may not usurp dominion, or lord it over the flock. The office-bearers are divided into ministers, who preach and dispense the ordinances; doctors, who expound the scriptures, and instruct the youth in schools, universities, and colleges; elders, who assist the minister in visiting the sick, examining those who come to the Lord's



table, and hold assemblies with the pastors and doctors, for establishing good order and execution of discipline; and deacons, to distribute alms, and watch over the temporal interests of the church. The name bishop is declared to be of the same import as minister or pastor, and to imply no superior dignity. All the office-bearers are to be admitted by election and ordination, and none intruded into any office contrary to the will of the congregation to which they are appointed, nor are the pastors to be appointed to the charge of more than one flock. The ecclesiastical assemblies are those of the office-bearers of one congregation, who manage its general concerns, now known by the name of—the kirk session; those of a number of neighbouring congregations—the eldership or presbytery, whence the Scottish church has received its appellation, who inspect a number of adjoining congregations, in every thing relating to religion and manners, and has the power of ordaining and deposing ministers within its bounds; the provincial synod, as its name expresses, consists of all the presbyteries within its bounds, and takes cognizance of their proceedings; the general assembly, or general eldership of the whole churches in the realm, consists of such number of ecclesiastical persons, ministers, and elders, as shall be thought good by the same assembly, which acts as a court of appeal, and review in all cases which come before the inferior courts, and treats of every thing connected with the welfare of the national church. The patrimony of the church includes all donations from kings, princes, or those of inferior station, together with all legacies, endowments, buildings, annual rents, &c. which it is declared sacrilege either to alienate or convert, by unlawful means, to other than ecclesiastical purposes; and these are—the support of the ministers; of the elders and deacons as far as necessary; the relief of the poor, the sick, and the stranger; and the keeping in a proper state of repair the places of worship. Under the general denomination of clergy, are comprehended schoolmasters and teachers, for whose increase and encouragement the first assemblies of the church of Scotland always showed the most laudable anxiety.

To the order which should be adopted, a long list of abuses

to be reformed is subjoined. Fully aware of the mighty and imposing influence of titles with the multitude, they enumerate among these abuses, the retaining of all such as marked the dignities and secularities of the Romish clergy, abbots, priors, deans, archdeacons, and a long list of offices unknown until the darkest and most debased ages of Christianity; they stigmatize the unchristian association, in one person, of temporal peer and bishop of souls, and the still more baneful and unseemly exercise of criminal justice and the pastoral office, by the same individual; the plurality of livings is condemned, and patronages and presentations to benefices, whether by the prince or by any inferior person, which lead to intrusion, and are inconsistent with lawful election, and the assent of the people over whom the person is placed, are pronounced contrary to the practice of the apostolical and primitive kirk, and good order. Such is a very concise sketch of that form of ecclesiastical polity to which our ancestors were so much attached, and in support of which, some of the best blood of the country was shed.

Probably the most acute intellect would find it difficult to trace in the New Testament any precise model of church government. Perverse ingenuity had too frequently converted into a subject of strife, what the Divine Lawgiver left as a matter of forbearance; but there is a broad marked line of boundary,\* to distinguish between a true and a false method

\* It has been invidiously, but unfortunately in some cases justly remarked, that polemics do not usually combat with the same calmness as philosophers; that in their disputes they bring all their passions into play. The reason is obvious, polemics contend for their interests in time, and their stake in eternity; philosophers dispute about abstract principles, which have little influence on the present, and no certain reference to a future state of existence. In questions of such magnitude, there is to the theologian nothing trifling, his rule of obedience and belief is imperative, there is no great or small transgression. The wearing of a vestment consecrated to a false mode of worship is to him as serious an infringement of the divine command, as is eating meat offered to idols. Thus the primitive fathers of the Scottish church considered the subject, and this was the doctrine which they enforced upon their hearers, for they had not learned politely, or, as lukewarmness is now styled, charitably, to concede to that system of fraud and idolatry—the Papal superstition, the name of Christianity. They knew no difference between bending the

of worship, and it requires no great penetration to discover that lordly titles, and princely revenues, are diametrically opposite both to the spirit and letter of the Christian religion, a conviction which must have come with double effieience to those who had suffered under that worst of tyrannies—the junction of the ecclesiastical and civil power. The Scottish Reformers, and all their successors, who had participated in their wrongs, and inherited their spirit, naturally felt a strong repugnance to any assimilation—by a consecrated uniform, or an adaptation of the mass book—which might, in the most distant degree, betoken an affinity with the degrading superstition, and idolatrous inthralment they had just broken, and in their polity, carefully avoided every title, vesture, usage, or form, which in other cases might perhaps have been innocent or unimportant, but in their circumstances, could neither be deemed harmless nor safe.

When the book of polity was presented to the king, upon his assumption of the government, as both parties were then courting the favour of the church, his counsellors advised him to return a gracious answer, promising to concur with them in all things that might advance religion. At next parliament, however, its ratification was evaded, and when Morton regained full power, the assembly were desired to use their utmost endeavours to promote peace and obedience during the king's minority, but refer the full discussion of the polity till the next meeting of parliament, at which the king himself was to preside in person. Then, however, the legal ratification of the order of the kirk was still evaded, but the previous acts

knee to an image of an apostle Paul, or to one of the god Mercurius; nor could they distinguish between the profanity of offering prayer to a Saint Apollos, or to a Heathen Jupiter; and it was owing to this principle, which must never be lost sight of in reading Scottish history during the reign of the Stuarts, that we are to attribute the inflexible firmness with which our forefathers resisted the use of copes, and gowns, and sashes, and surplices, the “rags of Rome,” as they styled them, and the introduction of a liturgy, or, in the language of king James, the ill framed mass book, and the abhorrence with which they viewed a hierarchy, which acknowledging a temporal head bore, in their opinion, too near a resemblance to the system of iniquity beneath which they had groaned, and which it had cost them so much to overturn.

securing the liberty of the true church were confirmed,\* and others, agreeable to the ministers, enacted; to enforce the strict observance of the Sabbath; to oblige all respectable persons to have a Bible and Psalm Book in their houses; and to prevent the alienation of youth from the established religion by a foreign education.

The day following Morton's execution, Arran reported to the king in council, what had been his own conduct with respect to the trial, and acknowledging that he had not only interfered with Morton's servants, but even proceeded to inflict torture on some of them, to obtain evidence against their master, prayed the approbation of his majesty and council for these proceedings, for which, he was afraid, he might hereafter have been called to an account. This he easily obtained, and what ought to have been stamped with infamy, was acknowledged as good service to the state, by an express vote of council. As if willing, however, to draw off attention from the atrocity of his public conduct, by the infamy of his private life, he nearly about this time, married the lady of the Earl of March, whom he had debauched, while supported by the earl, and entertained at his table—before he could boast of a table of his own—and who had previously divorced her husband, for a reason which female delicacy would blush to name.† His union with this woman, whose ambition was as insatiable as his own, had nearly occasioned his ruin.

In the month of August, the earl of Lennox was created duke, and on the same occasion, Arran was solemnly confirmed in his title of earl, which he had only worn by courtesy before. Imagining that he was now completely secure of the

\* The true church is thus defined: "The ministers of the blessed evangel of Jesus Christ, whom God of his mercy has now raised up amongst us, or hereafter shall raise, agreeing with them that now live in doctrine and administration of sacraments, and the people that prefer Christ as he is now offered, and communicate with the holy sacraments according to the Confession of Faith, be the true and holy kirk of Jesus Christ within this realm.—Vide Act, noted by Cooke, vol. i. p. 301.

† Archbishop Spotswood describes her as a woman, "intolerable in all the imperfections incident to that sex," and another writer thus, "maistresse of lawdrie and villanie then lady Marche, infected the air in his H. audience." MSS. Bibl. Jurid. quoted by Dr. McCrie, in the Life of Melville.

king's affection, he began to feel the pangs of rivalry, and envying the precedence which he perceived Lennox enjoyed, seized every occasion to affront him. This naturally occasioned retaliation, but their mutual resentments were kept within bounds, till the meeting of parliament, when a point of etiquette occasioned an open rupture. The chamberlain claimed, as his privilege, to arrange the introductions to the king, which Arran insisted belonged to his office, as captain of the guard. The duke, in consequence, withdrew from attending parliament, which so irritated the king, that next day he proceeded to Dalkeith, and took Lennox along with him, forbidding Arran to approach the court.\* Such trifling, more like the quarrels of children, than the rivalry of men, it would be beneath the dignity of history to record, did we not still see, that at courts, such even yet, are the mighty struggles of the great, and that on intrigues equally despicable among the favourites of monarchs, the fate of the most powerful nation too frequently depends.

While the dispute lasted, Arran and his lady, with impudent, matchless hypocrisy, went regularly and devoutly to sermon and to prayers, pretending that religion alone was the cause of their difference with the court, and that they were disliked merely on account of their attachment to the protestant faith. But knowing that this was a farce which could not last long, Arran employed the mediation of friends, made the most humble submissions to the duke, to whom he resigned the office of commander of the guard, and was again received into favour.†

The nobility, who had rejoiced at the rupture between the two favourites, and had hoped to regain their proper influence

\* Spotswood, p. 315.

† Vide character of lady Arran, Note, p. 53. Lennox, although more peevish, appears to have been a worthy associate. In the MSS. quoted above, it is said, "The duke, in his own person fretted, and was enraged that he could not be avenged on the ministers, who would not bear with his hypocritical and adulterous life, wherewith the land was polluted. He intended to put his hand on John Durie, at Dalkeith. In a French passion he rent his beard and thinking to strike the border, strake himself in the thigh, crying, the devil for John Durie, which Monbrun learned for the first lesson in the Scottish language." MS. referred to before.

in the councils of their sovereign, were highly disappointed at their union, and James, who devoted his time chiefly to amusement, again resigned himself entirely to their guidance. The chief object of the minions appears to have been to engross the affections of the king entirely to themselves, by corrupting his principles, and debauching his morals, and in this they were ably assisted by Monberneau, a French gentleman, who had accompanied Lennox to Scotland, whose vivacity, wit, and pleasing exterior accomplishments, were only equalled by his licentiousness. The whole of James' court was even thus early, composed of persons who were regardless of appearances, who set the most common decencies of life at defiance, and whose conversation consisted chiefly of ribaldry, and obscene buffoonery, when not more mischievously employed. Amid such company, the better lessons of his youth were soon forgotten, and ever after through life, his language bore strong marks of the taints he then received. In this school he learned these despotic doctrines, so alien to the instructions of his former tutors, which embroiled the whole of his future reign, and finally proved the ruin of his race. His best friends, and those who had placed the crown on his head, were thus driven from him, while they who had been his bitterest enemies, were rewarded and honoured. Irregularities of every kind were the consequence. The project for associating queen Mary in the government with her son, was revived, and strongly promoted by Lennox, who contended that this was the only way to legitimize his right to the throne, in the eyes of foreign powers; a close correspondence was set on foot between the king and his mother, and considerable progress even made in the treaty. Courts of justice were held in almost every county, the proprietors of land were called before them, and upon the slightest neglect of any of the numerous forms which are peculiar to feudal holdings, they were fined with unusual and intolerable rigour. The lord chamberlain revived the obsolete jurisdiction of his office over the boroughs, and they were subjected to exactions no less grievous.\* Justice throughout the country was held

\* Robertson.



of one thousand pounds Scots, with some horse corn, and poultry.

This simoniacal transaction brought the church and the king into immediate contact; but while the assembly were deliberating, they received a message from the king, disallowing his interference on any other points than such as religion or doctrine, on which, Melville exhibited various objections against him, and the assembly remitted the process to the presbytery of Stirling, who were to report to the synod of Glasgow. For entering on Montgomery's cause, the synod was summoned before the privy council. They obeyed the summons, but declined the judgment of that court, as inconsistent, according to the laws of the country, to take cognizance in a matter purely ecclesiastical. In the next assembly, when the case was resumed, a letter was presented from the king, commanding them, on pain of rebellion, to desist from the process, but they, after a respectful reply to his majesty, continued their proceedings, and were prevented only from communicating with Montgomery, who had been found guilty of errors in doctrine, by his submission, and promising to interfere no farther with the bishopric. Fearing his tergiversation, however, they gave instructions to the presbytery of Glasgow, to watch his conduct, and if he violated his engagement, give immediate information to the presbytery of Edinburgh, who were authorized to appoint one of their number to pronounce the sentence of excommunication against him. Scarcely had he quitted the assembly, ere he showed that his cautions were not in vain, for, urged by Lennox, he revived his episcopal claims. The presbytery of Glasgow having refused in consequence, they were forcibly dispersed by an order from the king, and their moderator imprisoned, but not until they had finished their deed, declaring that Montgomery had violated his engagement with the general assembly. This deed was immediately transmitted to the presbytery of Edinburgh, who appointed, on its receipt, John Davidson, minister of Libberton, to pronounce the sentence of excommunication, which he did accordingly, and in spite of the threats of the court, it was on the succeeding sabbath, intimated from the pulpits of Edinburgh, Glasgow, and the surrounding churches.



venal, and the lives of the lower ranks not unfrequently sported with, by the avarice or caprice of an abandoned woman.\*

The freedom of the pulpit was at that time to the country what the freedom of the press is now, and of necessity, was obnoxious to all who wished to trample on the rights or liberties of the people. It was therefore an object with Lennox and Arran, to silence these tribunes, whence their delinquencies had been so often denounced, and their despotic measures so freely attacked. To accomplish this, no method seemed so effectual, as to reduce the church under the civil power, by obtaining the whole influence and patronage, to which they were still farther stimulated by their avarice. The form and constitution of the Presbyterian church, as detailed above, is essentially opposed to any overpowering interference on the part of the civil power, and therefore, in opposition, Episcopacy has in Scotland been always the cherished religion of those rulers, who have wished to govern despotically, and in general, it has been more from its ready subservience for this purpose, than from any pious attachment to its principles, that the different sovereigns have attempted to force it upon the people. For these reasons, Lennox and Arran now made an attempt to revive it. The regulations made at Leith, recognizing it in a modified form, and abrogated by the General Assembly,† were now revived by act of the privy council, and the see of Glasgow being then vacant, the disposal was given to the duke of Lennox, who offered it to several ministers, upon condition that they would assign the revenues to him, after deducting a moderate stipend. All having refused, at length Mr. Robert Montgomery, minister of Stirling, consented to accept the archbishopric, and the price of this "vile bargain," as Spotswood terms it, was fixed at an annual in-

\* By justice courts, the poor of the countrie, without difference of the guiltie from the innocent, were sold, and ransomed at hundreth pounds the score. That monster of nature, the countess of Arran, controlled—the judges—at her pleasure, and caused sindrie to be hanged, that wanted their compositions, saying, what had they been doing all their days, that had not so much as five punds, to buy them from the gallows. MSS. Bibl. Jurid. referred to before.

† Vide p. 15.

some of one thousand pounds Scots, with some horse corn, and poultry.

This simonaical transaction brought the church and the court into immediate contact; but while the assembly were deliberating, they received a message from the king, disallowing their interference on any other points than such as respected life or doctrine, on which, Melville exhibited various charges against him, and the assembly remitted the process to the presbytery of Stirling, who were to report to the synod of Lothian. For entering on Montgomery's cause, the synod were summoned before the privy council. They obeyed the summons, but declined the judgment of that court, as incompetent, according to the laws of the country, to take cognizance in a matter purely ecclesiastical. In the next assembly, where the case was resumed, a letter was presented from the king, commanding them, on pain of rebellion, to desist from the process, but they, after a respectful reply to his majesty, continued their proceedings, and were prevented only from excommunicating Montgomery, who had been found guilty of some errors in doctrine, by his submission, and promising to interfere no farther with the bishopric. Fearing his tergiversation, however, they gave instructions to the presbytery of Glasgow, to watch his conduct, and if he violated his engagement, give immediate information to the presbytery of Edinburgh, who were authorized to appoint one of their number to pronounce the sentence of excommunication against him.

Scarcely had he quitted the assembly, ere he showed their precautions were not in vain, for, urged by Lennox, he revived his episcopal claims. The presbytery of Glasgow having met in consequence, they were forcibly dispersed by an order from the king, and their moderator imprisoned, but not until they had finished their deed, declaring that Montgomery had violated his engagement with the general assembly. This deed was immediately transmitted to the presbytery of Edinburgh, who appointed, on its receipt, John Davidson, minister of Libberton, to pronounce the sentence of excommunication, which he did accordingly, and in spite of the threats of the court, it was on the succeeding sabbath, intimated from the pulpits of Edinburgh, Glasgow, and the surrounding churches.

Enraged at these proceedings, a proclamation was issued by the privy council, declaring the excommunication null and void.

Besides this attack upon the constitution and liberty of the church, the ministers were individually subjected to persecution, for their discourses in the pulpit. They did not cease to inveigh against those whom they considered the authors of the calamities which afflicted both church and state, and in particular, John Dury, one of the ministers of Edinburgh, named Lennox and Arran, in one of his discourses, as those on whom the chief blame rested. They, in return, complained to the king, of what they thought the unwarrantable liberty of the preacher, and the king, irritated at what he considered as oblique reflections on his own conduct, ordered the magistrates to remove him from the town, within twenty-four hours. Dury consulted with the general assembly upon the occasion, and they approving of his doctrine, recommended him not to withdraw secretly, but remain till formally commanded to depart, and then obey; and the magistrates, although unwillingly, finding themselves compelled to enforce his majesty's orders, Dury, after solemnly protesting at the cross, against the force used, was obliged to leave the city.

These arbitrary proceedings occasioned an extraordinary meeting of the general assembly, at which a spirited remonstrance was drawn up, addressed to the king and council, complaining that he had been persuaded to assume a spiritual authority, which belonged only to Christ, and the execution of which is committed to his ministers, as if he could not be king of the state, without being head of the church. That in consequence, unworthy and unfit persons were obtruded into the ministerial office—discipline obstructed, and the censures of the church condemned and disannulled—and after an enumeration of their complaints, under fourteen heads, they besought his majesty to redress their grievances, with the advice of men, “that fear God, and do tender his grace’s estate, and quietness of this commonwealth.” The venerable Erskine, of Dun, and a number of others of the older reformers, were associated with Andrew Melville, and ordered to proceed to Perth, where the king then was, and present the remonstrance.

In spite of threats against their lives, held out to deter them, they boldly proceeded, and having obtained access to the king in council, presented their remonstrance. Arran, who was present, after it had been read, looking sternly round the assembly, demanded, Who dare subscribe these treasonable articles? We dare, replied Melville, and immediately affixed his own signature, the other commissioners successively following his example, while the duke and Arran, overawed at their intrepidity, offered no opposition. They were afterward dismissed with a favourable answer.

Such boldness in the exercise of their rights, by a body of men, who were unsupported by any civil power, or armed force, while it struck strangers with astonishment,\* shamed into action the Scottish nobles, who had long borne, with irritable impatience, the insolent presumption of two upstarts. Elizabeth too, if she had not secretly incited, was at least ready to support any attempt to rescue the king from the hands of the rash and inexperienced favourites, who had deprived her of all influence in Scotland, and had almost involved the two kingdoms in hostilities. A conspiracy, to force the king to part with his favourites, was the consequence, as the legal methods of removing obnoxious servants of the crown—difficult even in the best regulated states—was either unknown, or impracticable in Scotland at that period. The principal leaders were the earls of Marr, Glencairn, and Gowrie, lord Lindsay, lord Boyd, the masters of Glamis and Oliphant, the titular abbots of Dunfermline, Paisley, Dryburgh, and Cambuskenneth, the lairds of Lochleven, Easter Wemyss, Cliesh, and the constable of Dundee. Their design was to obtain possession of the king's person, send Lennox to France, and remove Arran from court. The young monarch, who had been some time in Athol, enjoying his favourite amusement of hunting, intended to stop at Dunfermline, on his return to Edinburgh, and here the conspirators proposed to present a supplication, against the illegal and tyrannical conduct of the favourites, and carry their object into effect, but as neither Lennox nor Arran were with him,

\* M'Crie's Life of Melville, p. 273.

and he was only very slenderly attended, they, probably afraid lest the favourites should join him at Dunfermline, invited the king to Ruthven castle, whence this enterprise has derived the name of the *Raid of Ruthven*.

James, unsuspectingly complied with the invitation, but upon his arrival, observing an unusual concourse, he began to doubt that some plot was in agitation. Concealing, however, his suspicions, he dissembled, in expectation of freeing himself from constraint, when he went abroad to his sport. Next morning, he early prepared to take the field, but was anticipated by the nobles, who, entering his bedchamber, presented their memorial. This he received graciously, and was hastening to begone, when the master of Glamis, stepping to the door of the apartment, told him he must stay. On finding himself a prisoner, he threatened, expostulated, and at length burst into tears. It is no matter of his tears, said the master of Glamis, when he observed him crying, better bairns should weep, than bearded men, a saying the king could never afterward forget, so much less easy is it to forgive an affront, than a real injury. Although kept captive, the king was treated with every outward mark of respect, only his attendants were changed, and none of whom the conspirators had any suspicion, were suffered to remain near his person. Finding himself totally cut off from any communication with his obnoxious ministers, James made a virtue of necessity, and submitted to his fate.

Lennox and Arran, who were residing in the utmost security upon their estates, the former at Dalkeith, and the latter at Kinniel, thunderstruck at so unexpected an event, prepared, if possible, to retrieve the error they had committed, in allowing the king so easily to fall into the snare of their enemies. The earl, whose arrogance imagined no one would dare to oppose him, and trusting at the same time, to the friendship of Gowrie, who, he either did not yet know had joined the confederates, or would not believe sincere in his attachment, instantly, on receiving intelligence of the seizure of the king's person, set out with a few followers towards Ruthven castle, boasting as he went, that he would chase all the lords into mouse holes. Fearing lest he should be detained on his

journey by his attendants, he pushed forward, with only one servant, by a cross road, directing his brother, William Stuart, to follow with the rest, by the common highway. In this manner he escaped an ambush, which had been laid for him by the earl of Marr, and arrived in the evening, at Ruthven. On entering the gate of the castle he asked for the king, intending to proceed immediately to his presence, but here again, his good fortune rescued him from a peril, even greater than what he had previously escaped. The conspirators, whose indignation was roused by the appearance of a man whom they detested, would instantly have sacrificed, upon the spot, the enemy of their country, but the earl of Gowrie, from motives of friendship or hospitality, interfered, and had him conveyed to a place of safety, thus preserving a life destined to wreck his own. Arran was afterward sent into confinement, in Stirling castle, without being permitted to see the king. His brother encountered the horsemen who lay in wait, with whom he had a smart encounter near Duplin, in which he was wounded, and taken prisoner.\*

The duke, after a vain attempt to excite the inhabitants of Edinburgh to take arms, sent some noblemen to Perth, where the king had been carried, to learn from his majesty himself, if the revolution which had taken place had been with his consent. The messengers were not allowed to see the king except in council, where being introduced, and having explained the nature of their mission, the king passionately cried out;—"I am a captive, which I wish all my subjects to know, and earnestly desire the duke to use his endeavours to procure me my liberty." With affected humility, the lords entreated his majesty not to imagine himself a prisoner, or that he was under any restraint; for he was at liberty to go wherever he pleased, only they would not permit the duke of Lennox, and the earl of Arran, to mislead him, and oppress the church and the kingdom as they had hitherto done; at the same time, they advised his majesty to inform the duke, that it might be prudent for him to retire quietly to France, else they would be forced to bring him to an account for his conduct, and

\* Spotswood, p. 320. Melville, p. 263.

proceed against him according to the utmost rigour of law. The king, finding it would be in vain to contend with persons in whose power he so completely was, dissembled his anger, and afraid for the fate of Lennox, to whom he seems to have felt a sincere attachment, issued a declaration, stating: "That it was his own free and voluntary choice to remain at Perth, that his person was under no restriction, and that the noblemen, who at present attended him, had only done their duty, and 'performed a good service to himself and the commonwealth;' and prohibiting any attempt to disturb the public peace, under pretence of rescuing him from restraint!" Lennox, who was still endeavouring to raise a force, received, by return of his messengers, a letter from the king, commanding him to leave the kingdom before the 20th of September. Unwilling to obey, but unable to resist, he continued to linger about Edinburgh, uncertain how to act, till at length, by the advice of his friends, he retired to Dunbarton, to await the occurrence of any favourable turn in his fortune. But the nobles were inflexible in insisting upon Lennox leaving the country, and it was with great difficulty and at the earnest entreaty of the king, that he was permitted to remain only a few days; yet, by various evasions, he continued to delay his departure till about the middle of December.

In October he attempted, or pretended to make an attempt of going to France from the west coast, but the weather being tempestuous, he fell sick, and landed again. He then, by the king's advice, came to Blackness, to remain there till a passport was procured from the queen of England, to enable him to travel overland to France, on account of the season of the year and his ill health. He had not remained there, however, many days, till, upon a rumour of his being again to be received into favour, lord Herries was sent with a peremptory command for him to begin his journey. He only begged to be admitted into the king's presence, to salute his majesty, and bid him farewell; but this the lords wisely denied him, and he took his reluctant departure, much to the pleasure of the people, and the regret of the king.

Soon after his arrival in France, fatigue or chagrin, or both, threw him into a fever, which in a short time carried

him off. In his last moments he professed to die in the faith of the church of Scotland, to keep the oath he had given to the king inviolate; and the king, to rescue his memory from the charge of hypocrisy, eagerly proclaimed in Edinburgh his dying confession. Whether he was ever sincerely attached to the doctrines of the Reformed or not, is as uncertain as it is unimportant. That he was insolent,\* oppressive, and tyrannical, is evident from the inflexible rigour with which the nobles insisted upon his quitting the country, although probably in some instances his plausibility of manner† might have led the courtiers to think more kindly of him than of Arran, whose insolence had more ruggedness about it. The king long remembered him with affection, and showed many acts of generosity to his posterity. He was the earliest, the most obsequious, and, unfortunately, one of the most unprincipled of James' favourites. He found the prince at a period of life comparatively uncorrupted, and he contaminated him by the licentiousness of his conversation, and the looseness of his conduct. Unacquainted with the manners of the country, and educated in a system directly opposed to that of James, passionate in his temper, and libertine in his morals, he was the most unfit companion the young monarch, of a free and a religious country, could have chosen.

Immediately upon the report of James' captivity, Elizabeth despatched two ambassadors, Sir George Carey and Sir Rob-

\* Patrick Galloway, minister of Perth, gives the following account of the duke's behaviour in the church, when the preacher blamed the court for supporting Montgomery, bishop of Glasgow: "When I did speak against the same, he did plainly menace me, and called me pultron, villain, mischant, with many other injurious words, and threatened to run me through with a rapPAIR, till his majesty himself was compelled to lay his hand upon his mouth, and stay the duke's fury and malicious language heard of all that stood in his highness' seat, and uttered publicly before the people. After the sermon was ended, at the duke's passing out of the kirk door, in plain language, laying his hand upon his sword, he boasted he would have my life, and used diverse contumelious and reproachful words of malice and despite.—MS. Apology of Mr. Patrick Galloway, quoted by Dr. M'Cric, *Life of A. Melville*, vol. i. Notes, and Calderwood, p. 152.

† It is from this circumstance, I apprehend, that Sir James Melville is inclined to represent him in more favourable colours than he appears to have deserved.



ert Bowes, under pretence of inquiring after the king's safety, to endeavour to reconcile him with his nobles, and induce him to restore the earl of Angus, who had lived in exile in England ever since the death of his uncle, the earl of Morton. James, who suspected that Elizabeth was not ignorant of the conspiracy, gave, in public, a general answer, that he was satisfied with the conduct of the lords, but, in private, he whispered his discontent to Carey, and begged him to inform his mistress of the real state of affairs. At their request he consented to the return of Angus, who formed a farther addition to the strength of the party.

Besides the royal proclamation, the nobles, who were anxious to justify their conduct to the nation, issued a long declaration, explaining the motives which induced them to venture on the irregular step they had taken, in which they inveighed against the favourites, and enumerated all their offences against the church and state—their endeavouring to destroy the power of the church, by filling her livings with unworthy characters, abusing, banishing, and suspending some of her ministers, and libelling and traducing all as traitors, seditious persons, members of Satan, and enemies to the commonwealth—their negotiating with the king's mother—their driving faithful noblemen from the court, banishing gentlemen without trial or conviction, and overawing the courts of law, removing forfeitures without the authority of parliament, and rendering the whole country one scene of confusion, tyranny, and lawless misrule.

The conspirators, who had first carried the king to Stirling, next proceeded with him to Edinburgh, for although they had already obtained from his majesty a remission in the most ample form, yet, afraid lest it might still be urged against them, that they had forced this from him when under constraint, they were extremely anxious to procure some legal sanction of their enterprise. The general assembly met early in October, and their first application was to that body. They commissioned the abbot of Paisley to explain to them the reasons for their approbation of the "action," which were the same as those enumerated in their public declaration—the danger of the church, and the confusion of the commonwealth.

The assembly, on receiving this information, inquired at the members individually, whether they had perceived the mischiefs to be as great as represented, and they unanimously answered in the affirmative.\* Still unwilling to proceed hastily, the assembly deputed Mr. James Lawson, Mr. David Lindsay, and the king's minister, [Mr John Craig,] to wait upon the king, and ascertain his sentiments upon the subject. He instructed them to declare, as his opinion, "That religion was in peril, and his person also in danger, for he considered his own safety as inseparable from that of religion. He acknowledged that abuses existed in the commonwealth till the late enterprise, and that it was the duty of all his subjects to unite in rescuing the kirk, his person and estate, and to assist in reforming the commonwealth." On receiving this communication, the assembly proceeded to pass an act approving the late enterprise, in which they embodied his majesty's acknowledgment.† This act, dated 13th October, 1582, was ordered to be published in all the churches, and those who maliciously or violently opposed the good cause, were in the first instance to undergo the censures of the church, and if obstinate, to be reported to the king and council for their civil offence.

A few days after, a convention of the estates followed, which was opened by the king in person, who, in a short speech, expressed his regret at the dissensions that prevailed, and his willingness to follow the advice of his parliament. With the freedom which then prevailed in these assemblies, one of the lords—he is not named—rose, and addressing the king, frankly told him: "That the dissensions were caused by those who, having possession of his majesty's ear, abused his favour,

\* Dr. Robertson says, Hist. vol. ii. book vi. "They [the nobles] applied to the assembly of the church, and *easily* procured an act that they had done good and acceptable service to God, to their sovereign, and to their native country;" but from the statement in the text, it will appear that the church was extremely cautious, and first obtained the king's own personal approbation before they would proceed, and after the act was framed, the tutor of Pitcur, and colonel Stewart, by special command from James, signified his assent. These are important facts necessary to be kept in view.—Dr. Cooke's Hist. of the Ch. of Scot. vol. i. p. 351. and the authorities referred to.—Calderwood, p. 179.

† Calderwood, p. 133. Spotswood, p. 322.

ruled the state as they chose, and disclaimed the advice of their fellow counsellors, particularly Lennox and Arran, whose misrule was such, that unless some noblemen had procured a remedy, by repairing to his majesty, both church and state must in a short time have been subverted." After this, the earls of Marr, Gowrie, and Gléncairn, acknowledged themselves as principals in the transactions that had taken place, and, after stating their reasons, withdrew. The convention, on their removal, in the fullest manner, approved of their proceeding, and relieved them from all actions, civil or criminal, that might be entered against them, or any of them, for what they had done.

The French court, who continued to look with regret on the loss of their influence in Scotland, and omitted no opportunity by which it might be regained, despatched thither an ambassador, M. Monevel, early in January, and ordered M. de la Motte Fenelon, ambassador at the English court, to join him. Their instructions were, to endeavour to procure the king his liberty; to try to draw closer the bonds of union with France; and to revive the project for associating the queen mother, and James, in the government together. Elizabeth, who dreaded the French gaining any ascendancy in the Scottish council, although she viewed with jealousy the embassy, could not, by any intrigue, prevent it.\* She therefore, to counteract as much as possible the effect, sent Davidson, as her ambassador, along with Fenelon, under pretence of concurring in the same object, but, in reality, to watch his motions, and support the nobles.

The arrival of the French ambassadors occasioned considerable agitation, especially when the object of their mission came to be known, and the clergy, who viewed with just horror any approach towards an affinity with the treacherous and "bloody house of Guise," immediately took the alarm. James, who, since he assumed the government, had received no foreign ministers, except from England, was delighted with this honourable embassy from the French monarch. He re-

\* It is not unlikely that the French king, Henry III., dreading some obstacle to M. de la Motte's progress from Elizabeth's policy, had sent M. Monevel by sea as a duplicate to prevent disappointments.

ceived the ambassadors with great distinction himself, and was anxious that they should be everywhere treated with respect. By a message to the presbytery of Edinburgh, he requested that the ministers should refrain from speaking about them. In reply, the ministers said they were bound, in every season of danger to religion, to caution their flocks, and admonished the king himself to be upon his guard; and they proceeded in what they conceived their duty, warning their hearers against the corruptions of popery, and against any league with its professors, but, at the same time, urged the obligation of performing the offices of humanity to strangers, although they differed in the articles of faith.\*

When M. Fenelon found, that he made but small progress in his negotiation, and was preparing to leave the kingdom, the king, at the request of some merchants who traded with France,† wrote to the council of Edinburgh, to invite the ambassador to a farewell banquet. The provost and magistrates, apparently pro forma, laid the letter before the ministers, for their advice, and they deemed it unseasonable and improper, “for banqueting,” said they, “is a sign of love; if, therefore, ye be sincere, ye seal by this feast, your fellowship and true love with the murderers of the people of God; if you dissemble, it is hypocrisy.” Notwithstanding which, the magistrates proceeded with their banquet, and the ministers, who saw their advice scorned, and the right hand of fellowship given to idolaters, proclaimed a fast to be held on the same day.‡ In this conduct, perhaps there might be a want

\* Dr. Cooke’s Hist. Ch. of Scot. vol. i. p. 362. and authorities, p. 363.

† Calderwood, p. 138.

‡ We are apt to err in estimating the customs of other times, either by comparing them with our own, or by forgetting the circumstances which rendered necessary then, what might be improper now, and pronouncing simply upon an insulated action. Yet even doing so, in this instance, I should hesitate before I blamed the ministers. The magistrates ought not to have asked their advice, if they did not mean to follow it, and I do not know but in such a case, the fast was a fair retaliation. But when we recollect that the blood of the thousands immolated to the papal tyranny, still stained the streets of Paris, and the fields of France, that this was justified upon *principle*, that every papist of that day, was in fact an accessory to the deed, that some of the ministers of Edinburgh had themselves witnessed the cruelties of that

of politeness, but it was at least consistent, for how could they look with complacency on an official entertainment, given to the representative of a court, any connexion with which they were daily deprecating, as the most cruel misfortune that could befall their country.

Mary, as was natural for a mother, when indistinct reports reached her of her son's confinement, felt all the bitterness of her unfortunate situation with double force, and in a passionate letter to Elizabeth, inveighed against the cruelty of her own imprisonment, and entreated her to interfere on behalf of her son, nor allow him also to be overwhelmed by his rebellious subjects; but Elizabeth knew not the feelings of a parent. The letter was neglected, and the unhappy queen left to brood in solitude, and with anxiety, over the misfortunes of herself, and to her, the doubtful fate of her child.

superstition abroad, and that the ashes of the Romish fires were scarcely cool at home; when we recollect the unsettled state of the government, and of the country, the conduct of the ministers, in decidedly and publicly marking their disapprobation of any convivial intercourse with the representative of the French court, does not appear so very reprehensible. Spotswood, whose account, however, is liable to the charge of exaggeration, says, "To impede this feast, the ministers did, on the Sunday preceding, proclaim a fast, to be kept on the same day on which the feast was appointed; and to detain the people at church, the three ordinary preachers did, one after another, make sermon in St. Giles' church without any intermission of time." Calderwood tells us, "the people met between 9 and 10 o'clock in the forenoon, and continued till two afternoon, to signify their misliking," which would allow a sufficient time for the city banquet after all. Besides, it was not the deed of the presbytery, for Calderwood adds, "If there was any error committed, it is to be imputed to the particular session of the kirk of Edinburgh."

**THE**

**HISTORY OF SCOTLAND.**

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**BOOK II.**

NOTWITHSTANDING the apparent acquiescence of James, he was by no means satisfied with his situation, he sighed after liberty, while, with the most consummate art, he dissembled his uneasiness, and appeared to the lords as cheerful and content; and so well did he counterfeit, that they, now freed from all dread of Lennox, and Arran being at a distance from court, and hated for his violence, began to relax in watching the king, and the greater part withdrew to their own castles. In the meantime, colonel Stuart, and Mr. John Colville, who had been sent to England, upon an embassy, to demand the restitution of the estates in that kingdom, which had belonged to the king's grandfather, the earl of Lennox, acquaint the queen with the state of affairs in Scotland, and arrange a number of other matters in dispute, having returned with discordant answers, the king, imagining some advantage might be made of this circumstance, consulted with Stuart, who commanded the band of gentlemen forming his body guard, respecting the best method of emancipating himself from his thralldom, when it was resolved to call a convention of the estates at St. Andrews, under pretence of consulting about the relations with England, but to invite only such persons as he thought would be favourable to his design. Previously to the day of meeting, Stuart advised the king to send for some of his most experienced counsellors in this emergency, and in consequence, Sir James Melville, who had retired from court, received his majesty's commands to repair to Falkland. He endeavoured to dissuade the king from his undertaking, as rash and danger-

ous, but finding him resolute, he advised him, if successful in making his escape, to proclaim a general amnesty, free, full, and without reserve; to accede to the requests of the church, and choose for his counsellors, the most virtuous and discreet of the nobility and gentry, all which, the king, with his usual facility, readily promised.

In order to avoid suspicion, some days previous to the meeting of the convention, he set out for St. Andrews, under the pretext of visiting his grand uncle, the earl of March. At first he lodged in an open inn, but some of the lords, who had heard of his sudden departure from Falkland, arriving at St. Andrews with armed followers, he became alarmed, and entered the castle. Next morning, the earls of Argyle, Huntly, Crawford, Montrose, and the rest of the lords who were invited, arrived, but unarmed, which induced the others to hope they might yet regain possession of the king's person, but being outnumbered, by the defection of the earl of Gowrie from their cause, they made no serious attempt, and the king retained complete possession of the castle, and the freedom of once more choosing his own advisers. In the commencement, he appeared as if inclined to perform the promises he had made to Sir James Melville, and having assembled all the lords, together with the Fife barons, the chief magistrates of the towns upon the coast, the ministers of St. Andrews, and the masters of the college, he in their presence declared:—That although he had been unwillingly detained for some time, yet he meant not to impute this as a crime to any person; it was his intention, to bury in oblivion all that had passed during his minority, to satisfy the demands of the church, endeavour to heal the dissensions which existed, and show impartial favour to all his subjects without distinction, as he knew what had been done, did not proceed from any disaffection to his person, but from the unhappy partialities of the times. After this declaration, and to show his impartiality, he ordered two of each faction to retire from court for a while, the earls of Angus and Bothwell on the one side, and Huntly and Crawford on the other. He then made choice of the earls of March, Argyle, Gowrie, Montrose, Marischal, and Rothes, as his permanent council, and to evince the sincerity of his

reconciliation, he paid a visit to the earl of Gowrie, at Ruthven castle, and again granted him a full pardon.

When James had regained his liberty, the earl of Arran, who, by favour of the lords, had been permitted to reside upon his estate of Kinneil, was extremely anxious to be admitted into the royal presence, and the king, who continued to cherish his affection for the worthless favourite, notwithstanding his repeated professions to the contrary, was no less anxious to see him. The nobility in vain opposed his return, and Sir James Melville, with as little effect, pointed out the mischievous consequences of his recall; and entreated that the king would not receive him into confidence. The king promised that he would not admit him to his confidence, that he only wished a single interview, and would not suffer him to remain; but the earl was admitted, and all the king's professions and promises were speedily forgotten. No sooner had Arran regained the ascendancy, than moderation was cast aside, and every regard to truth and common honesty banished the king's counsels. His most solemn declarations were disregarded, and measures, the very opposite of those he had promised to follow, were most unblushingly pursued. An insidious proclamation was issued, offering pardon to such as were concerned in the Raid of Ruthven, provided they showed symptoms of real penitence, asked forgiveness in time, and did not by their future conduct, awaken the remembrance of that treason. Such a proclamation, so different from the full, free freedom, and act of indemnity, so repeatedly promised, when the king was under no restraint, plainly warned the nobles of their fate, if they ventured to confide in the word of a king, or the mercy of an unprincipled, now an exasperated favourite. They therefore began to take measures to secure their safety, while the king, with his usual duplicity, pretended to be both ignorant of the extent, and grieved at the nature of Arran's proceedings.

When Elizabeth was informed of the revolution that had taken place in the Scottish court, she wrote James a severe letter, reproaching him with his breach of faith, and reminding him of the account he himself had written her of the dangerous course the duke of Arran was pursuing; "and yet,"



she adds, "you would make them guilty who delivered **you** therefrom ! I hope you more esteem your honour than to **give** it such a stain, since you have so oft protested that you **was** resolved to notice these lords as your most affectionate subjects, in the full persuasion, that all they had done **was** by them intended for your advantage;" and concludes by requesting him to proceed no further, till she should send a trusty messenger to advise with him. James, in an humble, shuffling answer, professes to take her "sharp admonition at this time, as proceeding from a sisterly love;" and after thanking her for her friendly attempts to procure his liberty, excuses his conduct from "the time," being "unfit to dispute too precisely upon circumstances that were determined by those who were masters of him and the state," and meekly ends thus:—"When you desire that I proceed no further, until a trusty messenger may come from you, I intend to stay from doing any thing, till then, that you may be justly offended with."\* The trusty messenger, promised by Elizabeth, was the secretary Walsingham, the minister, next to Burleigh, on whom the English queen most depended. He came attended by a magnificent train of upwards of "six score horsemen," but travelled gently in a coach, on account of his age and the infirm state of his health.

While the English minister was slowly prosecuting his journey, Arran was rashly pursuing his violent measures. The lords who prudently declined trusting Arran, and had withdrawn from court, were required, by a new proclamation, to surrender themselves prisoners, or, as the expression of the day was, put themselves in ward; but they all refusing, except the earl of Angus, were denounced rebels. Arran, whose aim it was to engross the whole power of the kingdom, and

\* I cannot conceive how Dr. Robertson, book vi. should represent James, on this occasion, as replying with "becoming dignity," for he refers to the very letters I quote, and their account certainly comports but very little with dignity. Spotswood, indeed, p. 326, mentions a conversation with Walsingham, in which he makes James use language similar to what Dr. R. represents as the contents of the letter, but Melville is, I think, in this instance, from having been personally employed, the preferable authority.—Melville, p. 279, 283.

drive from court every one but his own satellites, treated the earl of Gowrie with so much insolence, that he forced him to retire, and even after the king had invited him back, obliged him again to withdraw, and form the resolution of leaving the country. About the same time, he was appointed governor of Stirling castle, of which town he was also provost, and shortly after persuaded the king to take up his residence in the castle, on purpose that no one, except with his permission, might find access to the royal presence.

Walsingham, on his arrival in Edinburgh, was welcomed by Sir James Melville, in name of the king, and conducted by him to Perth, where the king had appointed to receive him. He had there several interviews with his majesty, but refused to have any personal communication with the earl of Arran, who felt the affront so keenly, that he sought, upon every occasion, to insult the ambassador.\* No change in the political situation of Scotland, nor any alteration of the relative circumstances of the two kingdoms followed this embassy, which renders the conjecture not improbable,† that his chief errand was to discover the capacity and disposition of the Scottish king, who was now arrived at that time of life when, with some degree of certainty, conjectures might be formed concerning his character and future conduct; yet it is not unlikely, that whatever other business the aged ambassador might have had to propose, he declined entering upon, when he found Arran so high in favour; for he expressed himself to Sir James Melville, in the language of strong disappointment and regret, at the company by whom he found his majesty surrounded, which, he said, "had he known before he set out, he would have shifted the journey." James, however, who possessed plausible and showy powers of conversation, made rather a favourable impression on the English secretary, who, notwithstanding the unworthy treatment he had met with, gave his mistress an advantageous report of his abilities.

\* He refused the captains of Berwick, and other respectable members of Walsingham's retinue, admission to the king, and, at his departure, instead of a rich diamond ring, the king had ordered to be given him, he substituted a paltry crystal.—Melville, p. 296.

† Melville, p. 297. Robertson.

The altered measures of the court had destroyed all confidence, and the distractions of the country, in consequence, increased, while Arran, the chief cause of the whole, whose ambition seemed to have grown more insatiable from its late check, procured himself to be appointed lord high chancellor, and governor of Edinburgh castle. A convention of the estates was summoned for the 17th of December. At this meeting, Arran having duped the nobles, and—according to Melville—deceived the king, rendered the confusion more inextricable, and instead of soothing, augmented the disorder of the state. He represented to the nobility, as they arrived in Edinburgh, the king's gracious intention, to grant to each individually, after suffering some very trifling punishment, a pardon for his particular share in the offence, provided they would consent to a vote of the convention, allowing, in general, the enterprise to have been treason; to which, if they would not consent, they would be considered as vilifiers of the king's honour, and contemnners of his promise.

Considering Arran's representations as an especial message from the crown, the estates, on the first day of meeting, passed an act, recommending a rigorous prosecution of those who had not embraced the offer of pardon at the time appointed, and ordering the act of council, passed at St. Andrews, to be erased from the council books. This act was productive of the most pernicious effects to the conspirators, some of whom were banished to Ireland, others confined within certain districts, and the earl of Gowrie, notwithstanding his reconciliation to the king, and his special pardon, deemed it prudent to request leave to exile himself to France.

The return of Arran to power, was not less baneful to the clergy than to the nobles. The church had, during the ten months James was under the direction of the confederate lords, enjoyed a temporary calm; ministers were allowed to preach with freedom, to exercise discipline, and to hold their ecclesiastical assemblies; but no sooner was he reinstated, than persecution commenced. Several of the most respectable individuals were interrogated before the council on their sentiments respecting the Raid of Ruthven, which they were urged to condemn, and approve of the measures since pur-

sued. In this difficult situation they acted with much prudence; aware that any unguarded expression might expose them to a criminal prosecution, they requested liberty to reply in writing. In their answers, they declared that they adhered to the act of the general assembly, with regard to the Raid of Ruthven; that, as individuals, they did not conceive it fell within their sphere to intermeddle with political discussions, but if his majesty were desirous to obtain the judgment of the church, they recommended him to apply to the general assembly. That body, however, without waiting for his majesty's command, at their next meeting, expressed their opinion, by presenting a list of their grievances to the king at Stirling: "They lamented the impunity enjoyed, through his sufferance, by papists, apostates, and convicted traitors; his evident partiality to the enemies of God, both in his own realm and in France; the employment of men, of the most dissolute lives, in his service, and the dismissal of upright, zealous, loyal noblemen, who had ever been faithful to him from his infancy; they reminded him, that since his acceptance of the government, the church had had many fair promises, but instead of performance, its liberties and privileges were daily infringed; and they deplored the wanton perversion of law, which excited universal discontent, and rendered both life and property insecure; and concluded with entreating his majesty to call the wisest and most moderate of the nobility to his councils, that, by their advice, the hearts of all good subjects might be united in maintaining God's truth, and in preserving his highness' estate and person." The king made a specious reply, but the historian of the church \* observes, the commissioners received small contentment.

During the winter, the misgovernment of Arran became every day more insupportable, and the ministers, whose intrepid patriotism formed the only apparent barrier to his tyranny, were harassed in the most vexatious manner. The intrepid Dury, who had been already banished, but whose sufferings could not induce him to sit the silent spectator of his country's oppression, was summoned before the council

\* Calderwood.

for having, in one of his sermons, vindicated the conduct of the noblemen concerned in the Raid of Ruthven, and, defending what he had said, he was ordered to ward himself in the town of Montrose. But the most outrageous proceeding was the process against Andrew Melville, then justly considered the leader of the church. In the beginning of February he was summoned to answer before the privy council, for some seditious and treasonable speeches uttered by him in his sermon on a fast which had been kept the preceding month. Melville without hesitation obeyed, and the university sent Mr. Robert Bruce, and Mr. Robert Wilkie, to the king and council, with the most ample testimonial, declaring that they had been constant attendants on his doctrine, and had never heard either in his class or in his pulpit, any sentiment inconsistent with the truth of God, or in the least subversive of his majesty's government, to which he had constantly exhorted his hearers to yield obedience, and to respect even the meanest magistrate in authority. Similar attestations were given him by the town council, the kirk session, and presbytery of St. Andrews. At his first appearance he gave an account, which he afterward embodied in his protestation, of the sermon for which he was accused. His text was the address of Daniel to Belshazzar, before he explained the handwriting on the wall, in which he applied the example of the father in reproof of the son; and the general doctrine which he [Melville] deducted from the passage, and supported by other places of Scripture, was, that it is the duty of ministers to apply examples of divine mercy and judgment in all ages to kings, princes, and people, in their time; and the nearer the persons are to us, the greater interest have we in the example. "But if nowadays," said he, "a minister should rehearse in the court the example that fell out in king James III.'s days, who was abused by the flattery of his courtiers, he would be said to wander from his text." He denied ever having used the words, "That our Nebuchadnezzar—meaning the king's mother—was twice seven years banished, and would be restored again;" and solemnly protested, that he never, upon any occasion, said, "The king is unlawfully promoted to the crown," or used any words which could by possibility be construed to such a mean-

ing. The simple doctrine, he said, which he wished to establish, was, that whether kings be advanced to the throne by inheritance, by election, or by any other ordinary means, it is God that maketh kings, a truth which is easily forgotten by them, and not by usurpers or robbers only, when exalted to the regal dignity, but even by good men, who have been extraordinarily placed in such high stations, as David, and Solomon, and Joash, who all forgot the God that had advanced them, and were therefore punished; and instead of any application, he offered up a prayer—according to his accustomed manner whenever he spoke of his majesty—that it would please the Lord of his mercy never to suffer the king to forget the goodness of that God who had raised him to the throne while yet an infant, and his mother still alive, and in opposition to the greater part of the nobility, and who had preserved him hitherto since the weighty burden of government was laid upon his shoulders. The council not being satisfied with this explanation, and having resolved to proceed with the trial, he requested, first, that as he was accused of certain expressions, alleged to have been used by him in preaching and prayer, his trial should be remitted, in the first instance, to the ecclesiastical courts, as the ordinary judges of his ministerial conduct, according to Scripture, the laws of the kingdom, and an agreement made between certain commissioners of the privy council and of the church; secondly, that he should be tried at St. Andrews, where the alleged offence was committed; or, third, if his first request were refused, he should enjoy the special privilege, lately confirmed by his majesty himself to the university of St. Andrews, of having his case first submitted to the rector and his assessors; fourthly, that he should enjoy the benefit of the apostolic canon, *Against an elder*, receive not an accusation but before two or three witnesses; fifthly, that he should have the benefit of a free subject, by being made acquainted with his accuser, who, if the charge turned out false and calumnious, might be liable to the punishment prescribed by act against those who alienate the king from his faithful subjects. In fine, he protested that if William Stuart was the informer, he had just cause to except against him, inasmuch as he bore him deadly malice, and had

frequently threatened him bodily injury, and could not therefore be received as a witness.

On the second day, commissioners from the presbytery of St. Andrews, attended to protest for the liberty of the church, and also commissioners from the university, to re-pledge Melville to the court of the rector, but were refused admission, and the court was about to proceed, when Melville gave in his protest and declinature, expressed in language similar to the requests and explanations he had made the day before. The king and Arran, violently enraged at the bold step Melville had taken, endeavoured, by alternate threats and entreaties, to induce Melville to withdraw his declinature, but finding him resolute in demanding that his cause should be remitted to the proper judges, at last, Stuart was brought forward as his accuser, and a number of witnesses were examined, but nothing criminal could be proved against him. Failing to establish their charge, but determined on vengeance, a new accusation, and one never heard of, but in the most arbitrary courts, was brought forward, and Melville was found guilty of declining the judgment of the council, and of behaving improperly before them, and was condemned to be imprisoned in the castle of Edinburgh, and further punished in person and goods, at his majesty's pleasure. But learning that the place of confinement was changed to Blackness, a damp and unwholesome dungeon, and that if he entered ward, it was probable he would only be released to go to the scaffold, without waiting the legal time for the execution of the sentence, he secretly fled from Edinburgh, and took refuge in Berwick.\*

In the then state of justice in Scotland, the line of conduct adopted by Melville, was the only safe method he could have pursued. To have submitted in the first instance to the privy council, would have been certain ruin, besides owning a jurisdiction which he did not believe to be legal, and which, even if in common cases it had, he was not in the present instance bound to obey, as there were two special exemptions, which were still in force, and which he pleaded—the agreement of

\* Calderwood, pp. 145-7. M'Crie's *Life of Melville*, vol. i. pp. 287, 292. Cook's *Hist. Ch. of Scot.* vol. i. pp. 377-9.

the court\* with the church, and the privileges granted to the university of St. Andrews. The claims of the church were high, but in that age necessary, for they had to meet and resist the exorbitant demands of unqualified despotism. In the present day, when there are other methods of opposing the encroachments of power, and when the jurisdiction of the several courts are better defined, the claim of hearing, even in the first instance, charges of sedition or treason, or any civil offence committed by their members, would never be listened to. In matters referring to religion and morals, the pulpit has, and ought to have a liberty unrestrained by any civil power, but in politics, and private character, it is widely different, for the obvious reason, that while in the senate, or at the bar, any improper observations may be instantly challenged and corrected, the pulpit admits of no immediate reply, and besides, there is a natural tendency in church courts, to encroach upon the civil jurisdiction, and to protect their members, which would render such a privilege, of very doubtful advantage.

The escape of Melville, was made the grounds of a new stretch of power by the privy council, and further severities against the fugitives. An act was passed, ordaining that such

\* An agreement had been entered into, between the commissioners of the council, and certain ministers, after the first imprisonment of Dury, to avoid any future dissension, in which it was stipulated, if the king was offended at the doctrine of any preacher, he should cause a complaint to be given in against him to the ecclesiastical courts, instead of summoning him to appear before the privy council; and this was done in the case of Balcanquhall, one of the ministers of Edinburgh, who, in a sermon, had said, "that within these four years, popery had entered into the country and court, and was maintained in the king's hall, by the tyranny of a great champion, who was called *Grace*—alluding to Lennox—but if his *Grace* continued in opposing himself to God and his word, he would come to little *Grace* in the end." The assembly, before whom the cause was brought, having been unable to find either sedition or treason in the expressions, declared the doctrine to have been "good and sound." The king was dissatisfied with the decision and this was afterward alleged as an excuse for bringing the other causes immediately before the privy council, as if the assembly had bound themselves to condemn in every case, when his majesty thought fit to accuse. James never forgot the acquittal of Balcanquhall; being an inveterate punster himself, he probably thought the preacher had invaded his prerogative.



preachers as were accused, should henceforth be apprehended without the formality of a legal charge, and it was declared treason to hold any communication with those who had left the kingdom. An order was at the same time issued, for all who had obtained leave to depart, to set out without delay to the places of their destination. Notwithstanding these warnings, and his knowledge of the inveterate enmity of Arran, the earl of Gowrie, unwilling to leave his native land, still delayed his departure. While lingering about Dundee, he received information that the lords who had gone to Ireland, had determined to endeavour the liberation of their country, by removing Arran from the king's council. Little persuasion was necessary to induce him to enter into their designs, but as he waited their motions, his protracted stay excited suspicion, and colonel Stuart, the captain of the king's guard, was sent to apprehend him. The colonel surprised him at his lodgings, but notwithstanding he defended himself for six hours, and endeavoured to excite the inhabitants to come to his assistance, by exclaiming, that he was prosecuted for the sake of religion, he was, however, overpowered, and carried prisoner to Kinniel, the earl of Arran's seat.

Two days after, the earls of Angus, Marr, and the master of Glamis, surprised Stirling castle, where they intended to fortify themselves, and issued a proclamation, declaring that their only object in seizing arms, was to deliver the king from evil counsellors, but the apprehension of Gowrie, of whose fidelity they were uncertain, as he had formerly deserted them, the tardiness of their friends at home, and their disappointment of aid from England, cast a gloom over their minds, and rendered their prospects hopeless; and the king having raised an army with uncommon expedition, the chiefs fled to England, and the castle surrendered to Alexander, master of Livingston, upon the first summons. The speedy abruptness of this ill-concerted attempt, rendered the favourite more secure, and added strength to his party. Gowrie first felt its effects. The extensive estates of that nobleman, had attracted the avarice of Arran's wife,\* and his opposition in the council,

\* He, [Arran] shot directly at the life and lands of the earl of Gowrie, for

had drawn down upon him the hatred of the earl himself; both which circumstances conduced to render him peculiarly obnoxious. He was therefore ordered to Stirling, to stand trial, but before he set out, he was induced by the hope of pardon held out to him, and a promise that nothing he might disclose would be used in evidence against him, to reveal all he knew concerning the conspiracy, and the names of those who, though not actually engaged, were considered as favourable to the design.

On his arrival at Stirling, he wrote to the king, requesting an interview, in order to reveal some secret of importance, but the request was not only denied, but the concealing from his majesty a secret—the nature of which was not known to his accusers—made part of the indictment preferred against him. It was in vain he objected deadly enmity to some of his judges, and the promises that had been made to him previously to his trial; all his objections were over-ruled, he was sent to an assize, found guilty of treason, and sentenced to suffer the death of a traitor. In the evening of the same day, he was beheaded, but the quartering of the body being dispensed with, his servants were permitted to bury the whole remains of the unfortunate nobleman. He died with firmness and resignation, expressing on the scaffold the usual regret of disappointed courtiers, who, in their career of ambition, have been more anxious to study the humours or caprice of princes, than to hold fast their own integrity. His lands were divided among the dominant party. On the same day, two servants of the earl of Marr were executed, and the rest who were in the castle at the time of its surrender, were banished.

A temporary calm ensued, and the unnatural vigour which a government always acquires after the suppression of an unsuccessful insurrection, promised to ensure its continuance. In the usual method of adopting more severe and arbitrary measures, to crush entirely the spirit which had just been broken, James hastened to Edinburgh, and summoned a parliament, which, in the present state of affairs, consisted entirely of the

the Highland oracles had shown unto his wife, that Gowrie should be ruined, as she told to some of her familiars." Melville, p. 310.

friends or supporters of Arran, who were disposed to enact whatever he should be disposed to dictate. As the church was the peculiar object of his resentment, whose freedom of discussion, the king and his favourite equally hated and feared, the ministers who knew this, were extremely anxious in watching the proceedings of the court, and the court was equally anxious to prevent them from knowing what was in agitation; the lords of the articles were sworn to secrecy, and the business of parliament was carried on with shut doors. The ministers, however, having learned the nature of some of the acts proposed, deputed Mr. David Lindsay, a man whose wisdom and moderation the king pretended greatly to respect, to wait upon his majesty, and to entreat that no law might pass, affecting the interest of the church, till the assembly was first consulted, but Arran being informed of the message, caused him to be arrested, on the charge of corresponding with the fugitives, in the palace yard, as he was proceeding to the king, detained him that night in Holyroodhouse, and next morning, sent him prisoner to Blackness, where he lay till the fall of the favourite. They then instructed some of their number to proceed to parliament, and protest in name of the church, against any encroachment on their liberty, but they were refused admission.

Such was the unconstitutional, precipitate, and hidden manner in which the king and Arran procured the enactments of this parliament, and the acts were in every respect worthy of the manner in which they were obtained. The late usurpations of the privy council were confirmed. The king's authority was declared to extend over all persons, and all causes, and to decline his majesty's judgment, or the council's in any matter, was pronounced treason. To impugn the authority, or to innovate or procure the diminution of the power, of any of the three estates, was forbidden under the same penalty. All jurisdictions and judicatures, spiritual and temporal, which had hitherto been exercised, but not formally sanctioned by parliament, were prohibited. Commissions were to be given to the bishops, and such others as shall be constituted king's commissioners in ecclesiastical causes, to put order to all ecclesiastical matters in their dioceses: and it was ordain-

ed, that none of whatever function, quality, or degree, should presume, privately or publicly, in sermons, declamations, or familiar conferences, to utter any false, untrue, or slanderous speeches, to the reproach, or contempt of his majesty, his council, or proceedings, or to the dishonour, hurt, or prejudice of his highness, his parents, and progenitors, or to meddle in the affairs of his highness, and his estate, present, by-gone, or in time coming, under the pains contained in the acts of parliament, against the makers and tellers of leasings, which were to be executed with all rigour, even upon those who heard such speeches, and did not reveal them. These acts, overturning the whole that had been done since the reformation, establishing the supremacy of the king in council, restoring the estate of bishops, abolishing, or at least rendering subservient to the royal will, every church court, from the general assembly, to the session,\* and preventing every kind of political discussion, passed through the parliament without opposition. It was not expected that the ministers would be equally silent and submissive, orders were therefore sent to the magistrates, to silence, or drag from the pulpit, any individual who should presume to censure, or make observations on these statutes. As the acts, however, were not yet published, the magistrates, who were unwilling to use force with their ministers, delayed interfering, and the next day being sabbath, the ministers declaimed with great freedom on the subversion of their civil and religious liberty. On monday, when the acts were proclaimed at the market-cross, Lawson, Balcanquhall, and Pont, who was also a lord of session, fearlessly made solemn public protestation, in name of the kirk, with the cus-

\* "On the 28th May, 1584, a special license was granted by his majesty, in virtue of his dispensing power, for holding the weekly exercise and meetings of the kirk session in Edinburgh, notwithstanding our late act of Parliament, or any pains contained therein, anent the which we dispense be thir presents. Cald. vol. iii. p. 376. An intimation of a similar kind was made to the elders of St. Andrews, by Adamson. Record of Kirk Session of St. Andrews, June 17th, 1584. But where the ministers or elders were unconformable to the will of the court, they were prevented from assembling. The kirk session of Glasgow, which used to meet every week, did not assemble from July 18th, 1584, to March 31st, 1585." Wodrow's Life of Mr. D. Weema. M'Crie's Life of Melville, vol. i. pp. 311, 312. Note.

tomary ceremonies. Arran, enraged at their boldness, threatened loudly,\* deprived Pont of his situation, as senator in the college of justice, and issued orders to apprehend all concerned in the protest; but they, dreading what would follow, made a timely escape to Berwick, a number of other eminent ministers followed their example, and those who remained, were subjected to the most vexatious and cruel treatment. One instance of characteristic barbarity deserves to be recorded. Nicol Dalgliesh, a distinguished scholar, who had been many years regent in St. Leonard's College, St. Andrews, and was now minister of the parish of St. Cuthbert's church, was capitally tried, for praying for his distressed brethren. The jury acquitted him, but he was instantly re-indicted upon a new charge of holding communication with rebels, merely because he had read a letter, which one of the ministers of Edinburgh had sent to his wife. Unconscious of crime, he was persuaded to throw himself on the king's mercy. Sentence of death was, notwithstanding, passed, and though it was not executed, yet, by a refinement of cruelty, the scaffold was erected, and kept standing for several weeks, before the window of his prison.† In addition to all their other grievances, the ministers were required to subscribe a bond, in which they engaged to obey the late acts of parliament, and own the authority of the bishops, under pain of being deprived of their livings. Numbers refused, but the king invited the leaders to a private conference, and Adamson, archbishop of St. Andrews, having inserted a qualifying clause—"according to God's word,"—disjoined the oppositionists, and several, whom threats could not bend, were juggled into compliance. Among these were Dury, Craig, and the venerable Erskine of Dun; they who continued firm in their resistance, were forced to join their brethren in exile. Desolation and astonishment now appeared in every part of the Scottish church; nor did the universities escape in the general tempest, the professors of such as were considered unfriendly to the court, were ban-

\* They were threatened, "though their craig were as great as ane hay stack, their head should lie at their heels."—Calderwood, p. 160.

† M'Crie's *Life of Melville*, vol. i. p. 314. Calderwood, p. 170.

ished, or thrown into jail, the students dismissed, and the colleges shut up.\*

The tendency of the late acts of parliament, the flight and dispersion of the ministers, the attacks upon the seats of learning, and the fondness displayed for the order of bishops, rendered the king suspected of favouring popery. This rumour being general, he published a declaration, explaining these acts, in which he attempted to show their necessity, and that their sole object was to settle the form and polity of the kirk. The only effect which this produced, was to call forth the friends of freedom, justice, and the presbyterian form of church government to reply, which they did both in prose and verse, and as they were superior in argument, and their reasonings more congenial to the public feeling, they increased the hatred which all ranks bore to the administration of Arran. The ministers of Edinburgh who had fled, as soon as they reached Berwick, wrote an affectionate, and admonitory epistle to their deserted flocks, informing them of the reasons which had induced them to take this step. "It was not," they told them, "the fear of death, or love of life, which had moved them to withdraw for a season, but the open cruelty with which, by the late acts they were threatened, and in which their flocks too, must have been involved, the whole ecclesiastical discipline plucked out of their hands, to whom Christ Jesus had committed the spiritual government of the church, and intrusted to those who had their calling of the world and of men, not of God. The charges given, and that to members of their own congregations, for their apprehension, if they dared to speak the truth freely, and the danger which their presence must have occasioned to their people, after these orders were issued, had compelled them, from motives of affection and love to them, to absent themselves. Besides, they thought it lawful to follow the example of their Lord, and by fleeing to escape the rage of men, reserve themselves for a better time."

Upon receipt of this letter, the town council of Edinburgh, fearing lest it might be brought as a charge against them,

\* The universities of Glasgow and Aberdeen, were treated in this manner. Cotton MSS. quoted by M'Crie, *Life of Melville*, vol. i. p. 316.

immediately transmitted it to the king, who, with the characteristic meanness of a base mind in power, that delights to add insult to injury, insisted on the leading inhabitants of Edinburgh subscribing a letter, drawn up by his orders; and addressed to their ministers, reproaching them with contemptuously, irreverently, and in opposition to their own conscience, slandering the good and necessary laws established by his majesty and the parliament, and endeavouring to disturb the realm, and excite sedition, adding, they had now discovered themselves, by deserting their flocks, and declaring themselves fugitives and rebels, and had made them, [the subscribers,] offend his majesty, by holding any communication with them. In conclusion, they thanked God, the ruler of the secret thoughts of all hearts, that they had been manifested to their own shame, and the church's happiness, which was thus relieved from wolves instead of pastors, and they hoped his majesty would provide them with good, and quiet spirited teachers; finally, they committed them to God, and exhorted them to repent unfeignedly of their offences. All the power of the court, could only procure sixteen names to this ungenerous production, but among these were some, who, in other times, had been the most zealous and forward in the cause.

To open avowed oppression, Arran added the more infamous mode of supporting his power, and advancing his ambition, by fictitious conspiracies, and a system of domestic espionage. Drummond, of Blair, who had been imprisoned in Edinburgh castle, on suspicion of being connected with the malecontents, and on purpose to extort information from him, when it was found that he had none to give, was set at liberty. But scarcely was he liberated, when he was apprehended upon a new warrant, for some pretended offence, and examined before the privy council at Edinburgh, and then carried to Falkland, where he underwent another examination before the king. Having been tampered with by Arran, he declared that while in prison, Robert Douglas, the provost of Glencluden, was also confined there, and that they had had several conferences about overturning the present government, and putting the earl of Arran to death. In some of their conversations, the provost informed him that the earl of Crawford

was friendly to the scheme, and the Hamiltons, Douglasses, and the other fugitives in England, were likewise parties to the plot. Douglas, on being examined, denied that any such conversations had ever taken place, and offered combat to Drummond.

As it would have been difficult to have proved the conversation, the prosecution was not carried farther against Douglas; it however answered a double purpose, Marr, the governor of the castle, was removed for not being sufficiently watchful over the conduct of the prisoners, and the governorship bestowed upon Arran; and greater rigour was exercised upon those who held any correspondence, of whatever nature, with the exiles. David Home of Argathy, and Patrick, his brother, were executed for exchanging some letters with the commendator of Dryburgh, although their contents referred only to some private accounts, which remained unsettled when he was forced to go into exile; and in order to encourage that race of miscreants, detested by all honourable men, and every upright administration—public informers, proclamation was made:—That whoever should discover any treasonable correspondence or conspiracy, besides a full pardon, should receive a reward.

When rulers show a willingness to receive accusations, and offer a bounty for the discovery of treason, it is seldom long ere they are gratified, either by the destruction of the innocent upon false evidence, or the conviction of the unwary, who have been entrapped by designing villains; nor did the present proclamation fail to produce these consequences. Malcolm Douglas of Mains, and John Cunningham of Drumwhassel, gentlemen of considerable property, and universally respected, had become objects of suspicion to the court, Douglas especially, who was dreaded on account of his courage and independence of spirit. This pointed them out as proper persons to be denounced, and one Robert Hamilton of Ecclesmachan, allured by the offered reward, and encouraged by the situation they stood in with the court, accused them of having conspired to intercept the king during a hunting match, and detain him in some strong hold till the lords should advance, into whose hands they had agreed to deliver



him. This information, although generally believed to be a forgery, was greedily listened to by Arran; but as another witness was wanting to render the accusation valid, it was agreed that Sir James Edmonston of Duntraith, one of their most familiar acquaintances, should be charged with the same crime, and by operating upon his fears, and then offering him pardon, endeavour to extort some corroborative evidence. Under the influence of this refined torture, the courage of Sir James yielded, and he incurred the everlasting reproach of being accessory to the murder of his friend. The plan of procedure thus settled, colonel William Stewart was despatched to apprehend the victims, and finding them residing securely in their own houses, arrested the whole without resistance, and brought them to Edinburgh. They were all three put to trial, and Edmonston having, as was agreed, pleaded guilty, the others were also condemned, although the absurdity of the charge, from the impossibility of the attempt, and the circumstances of the prisoners, was perfectly and convincingly evident. Drumwhassel and Mains were executed the same day in the High-Street of Edinburgh. Hamilton, the informer, shunned and detested by all, was protected by Arran, with whom he resided till a new revolution took place, and the favourite was forced to abscond, when he, likewise endeavouring to make his escape, was overtaken and killed by Johnston of Westraw, who had vowed to revenge the death of Douglas. These executions spread a general gloom over the face of the community, and the dread of spies and informers created such universal distrust, that the common intercourse of society was interrupted, no one knowing in whom to repose confidence. Meanwhile Arran continued to concentrate, in his own person, all the high offices of state, and to grasp at all the power of the realm. On the death of the earl of Argyle,\* he was raised to the office of chancellor, and besides being governor of Stirling and Edinburgh castles, he procured himself to be chosen provost of the city; yet still unsatisfied, he at length obtained the title of lieutenant-general of the whole kingdom.

\* Spotswood, p. 339. Crawford says, *before* the death of Argyle—*Affairs of State*, appendix, p. 447.

Elizabeth, whose policy was ever adapted to the varying circumstances of the times, perceiving the difficulty, or rather the impossibility, of managing the affairs of Scotland as she had formerly done, except through the medium of the king's favourites, despatched Davidson, one of her principal secretaries, to Scotland, to attach Arran to her interest. Arran, who had in vain attempted to ingratiate himself with Walsingham, received the advances of Davidson with the utmost eagerness, and readily entered into the views of England, for, hated by the nobility of his own country, and aware of the fickleness of his prince, he looked forward to the friendship of Elizabeth as the firmest support of his authority.

Soon after, a meeting was appointed with lord Hunsdon, the governor of Berwick, at Foulden, on the borders, to which the lieutenant-general proceeded with a splendid train. At this interview he renewed his professions of attachment to the English interest, and, in return, lord Hunsdon promised, on the part of his queen, that the exiled lords should be removed to the interior, to prevent their intriguing in Scotland. At the same time, Arran, by a secret stipulation—as Elizabeth was uneasy on the subject—engaged to keep James unmarried for three years, under pretext that the queen had provided a match for him of the blood royal in England, who would be marriageable about that time, and on his union with whom, her majesty would declare him her heir.

Arran, who had dreaded the interference of England on behalf of the fugitive lords, now relieved from all dread upon that account, immediately on his return called a parliament, in which Angus, Marr, Glamis and a number of their followers, were attainted, and their estates divided, as was the custom, among the chiefs of the dominant party. But the exorbitance of Arran's power, joined with his imperious temper, which would admit of no partner, disgusted a number of his own supporters, and a party was secretly forming against him at the time when he thought he had most firmly fortified himself against any attack. The master of Gray, who had lately been introduced at court on his return from his travels, possessed those qualifications which generally attracted the king—a graceful person, and an insinuating address. He had al-

ready made considerable progress in the favour of his sovereign, and, ambitious and restless, he viewed with impatience the overpowering influence of Arran. Sir Lewis Bellenden, the justice clerk, a man of a high spirit, submitted reluctantly, and even the secretary, John Maitland, who owed to him his office, deserted his declining fortune, and entered into the schemes of his opponents; but while plotting his ruin, with the instinctive dissimulation of courtiers, they continued to flatter and fawn upon the man they had devoted to destruction.

The increasing predilection of James for Gray, did not long escape the penetration of Arran, who, in order to get rid of a rival, procured that he should be sent as ambassador to the court of England, to negotiate with Elizabeth for the performance of Hunsdon's promise—the removal of the banished lords. Gray, during his residence in France by renouncing the protestant religion, and pretending great zeal for the captive queen, had gained the confidence of the duke of Guise, and her friends there, by whom he was employed in managing a secret correspondence with her. On his arrival at the English court, he professed himself a protestant,\* and, flattered by the attention of Elizabeth, he abandoned his former connexions without hesitation, and submitted implicitly to the direction of the English government. He undertook to preserve the king under the influence of England, and he betrayed the unfortunate Scottish queen, by revealing to her enemies, all the secrets with which his high pretensions in her service had made him be intrusted. It was always the practice of Elizabeth's ministers to play a double game with Scotland, and never to allow any of the factions that distracted that country to be entirely destroyed, but alternately to feed the hopes of both, and thus keep both in constant dependance. Their conduct on this occasion was in unison with their general policy. To gratify the king, and yet not wholly cast off the nobles, they avoided the request of sending them out of the country, but ordered them to reside in Norwich, at a distance from the borders; and Gray having gained, as he supposed, the object of his mission, was dismissed by the queen loaded with presents,

\* Calderwood, p. 170.

and carrying letters to his master, filled with the highest commendations of his talents and conduct. Seizing the opportunity of his absence, Arran had insidiously endeavoured, by misrepresentations, to prejudice James against Gray; but his success in the negotiation, and the praises he received, increased his credit with the sovereign, and enabled him, at convenient seasons, to recompense, with "court charity," these secret services.\*

Still unsatisfied while the exiles were suffered to remain in England, James sent another embassy, at the head of which was Bellenden, the justice clerk, to communicate the particulars of Mains' and Drumwhassel's conspiracy, and demand the expulsion of their associates. The lords, on his arrival, were brought from Norwich to London, ostensibly to hear the accusations against them; and in a conference with the ambassador, before Elizabeth's council, they easily cleared themselves from this imputation. Other negotiations succeeded, and Bellenden, who evidently had preconceived the plan with Gray before he left Scotland, and used his public character as a cloak for his private intrigue, consulted with the men he had been commissioned to accuse, about the removal of Arran, and their own return to their native country. Elizabeth and her ministers, were privy to the whole, and as they could place no dependance on so venal and profligate a man as Arran, encouraged the enterprise, but, at the same time, to prevent suspicion, redoubled to him the assurances of the queen's regard.

Although standing on the brink of a precipice, Arran, unaware of his danger, instead of attempting to sooth, continued to exasperate the discontent by which he was surrounded. As insatiable in his avarice as in his ambition, he imprisoned the earl of Athol, because he would not divorce his wife, a daughter of Gowrie's, and entail his estates on him; lord Home, because he refused to part with the lands of Dirleton, which lay contiguous to some of his property; and the master of Cassillis, because he would not accommodate him with a sum of money which he thought he could spare. Regardless

\* Melville, p. 317.

of the miseries he inflicted on the country, he stuck at no measure, however desperate, to satisfy his cupidity or revenge. Having required lord Maxwell to exchange the barony of Mernis, and the lands of Maxwellhaugh, for the estate of Kinniel, which he possessed by the forfeiture of the Hamiltons, when Maxwell refused to part with his paternal inheritance for a possession of very doubtful tenure, not daring openly to avow the cause, he involved the district in confusion and bloodshed, and had not the plague prevented, would have kindled the flames of civil war throughout the whole country. To accomplish his purpose, he first prevailed with Johnston, the hereditary enemy of Maxwell, to accept of the office of provost of Dumfries, and then procured an order from the king to the inhabitants for his election. Maxwell, who perceived the affront intended him, collecting his vassals, prevented Johnston from entering the town, and caused himself to be continued in the situation. On this, the king was immediately informed that his authority was despised, and there would be no peace in that quarter, unless the power of Maxwell was curbed, and he, using as a pretext, the non-appearance of one of the clan Armstrong, for whom Maxwell was bound, denounced him as a rebel, and issued a commission to the laird of Johnston to pursue him, who, in addition to his own men, was to receive the assistance of two companies of hired soldiers.

Maxwell, as soon as he heard of these preparations, assembled his forces, and sent a detachment under his natural brother, to intercept the king's troops before they could join Johnston. They encountered each other on Crawford moor, where, after a sharp conflict, the mercenaries were defeated, one of their captains killed, and the other taken prisoner. Johnston, on the other hand, that he might not appear to be idle, wasted Maxwell's estates with fire and sword, and carried off great quantities of plunder. Maxwell retorted by burning the house of Lockwood, and ravaging Annandale; and this system of mutual retaliation continued till Johnston was defeated and taken prisoner. The court, enraged at this disaster, summoned a convention of the estates, who granted a subsidy of twenty thousand pounds, for levying soldiers to

suppress Maxwell, and the king commanded all south of the Forth, who could bear arms, to be in readiness to attend him upon an expedition into the disturbed districts. But the plague raged with such violence in Edinburgh during the summer, that the expedition was suspended, and another revolution taking place in the king's council shortly after, it was wholly laid aside.

A fortunate coincidence of circumstances, together with the wisdom of Elizabeth's councils, had hitherto contributed to preserve England comparatively tranquil, amid the agitations which convulsed almost every other neighbouring kingdom; but the formidable conspiracy of crowned heads against the liberty and Reformed religion of Europe, known by the name of the *Holy League*, in which the pope, the Spanish king, and the Guises, who ruled France, were combined to crush the protestant states, now threatened that kingdom, which was considered the bulwark against the despots and bigots who wished to restore the passive obedience and implicit faith of the dark ages. Elizabeth, who knew that the power of England was an object of aversion and dread to the members of the league, proposed to unite all the protestant princes in a counter-league for their mutual defence. With this intent she sent ambassadors to Denmark and Germany, and under the same pretence, despatched Sir Edward Wotton to the Scottish king. The chief aim of Wotton's embassy, though veiled under this pretext, was to re-establish English influence in Scotland upon a sure basis, and this he was instructed to attempt not by any formal propositions, but by ingratiating himself into the favour of the king, under the mask of an agreeable companion, and while he appeared wholly intent upon promoting his amusement, to seize every favourable opportunity to influence his mind, and, at the same time, to cultivate assiduously the affection of the nobles who were in opposition to Arran, promote their designs, and lend them every assistance.

Wotton was well qualified for the task, he excelled in all the exercises for which James had a passion, was gay, humorous, and entertaining, had travelled much, and, a quick observer of men and manners, he had a fund of amusing anec-

dote and adventure, and early initiated into political intrigue, he possessed all that pliancy of temper and morals which qualifies a man to fill, with advantage to his employers, the important situation of a privileged spy. A strict alliance between the two kingdoms, in defence of the true religion, was what the nation universally desired, and the aspect of affairs on the continent rendered imperiously necessary. James entered warmly into the proposal, and having summoned a convention of the estates to St. Andrews, in a "long and pithy speech," enumerated the dangers that threatened religion, and enforced the necessity of Reformed princes uniting together. The convention seconded the zeal of the king, and passed an act, empowering him to enter into an alliance with "his dearest sister," offensive and defensive, for the preservation of their common faith. What probably contributed, in no small degree, to stimulate James' zeal in the cause of the Reformed, was a mark of motherly affection his dearest sister had lately shown, in settling upon him an annual pension of five thousand pounds, a gift which his empty exchequer rendered extremely acceptable.

Notwithstanding Wotton's ostensible business was at an end, he still continued in the Scottish court amusing the king, and intriguing with the nobles. In his private interviews with the master of Gray, secretary Maitland, and Bellenden, a plan was concerted for bringing back the banished nobles, and enabling them to gain the ascendancy; but, at the same time, he continued on the most friendly footing with Arran, and used him to answer his purpose on after occasions.

Among the other causes of Elizabeth's inquietude, was her dread lest James, by marriage, should obtain such a dowry as would render him independent, or contract an affinity that might make him indifferent or averse to her management; and having heard that an embassy was preparing in Denmark for Scotland, Wotton's mission had this also in view, to learn the nature of the errand, and throw obstacles in the way, if its object was any matrimonial project.

In the course of the summer the embassy arrived, consisting of three noblemen magnificently attended, who were introduced to the king at Dunfermline, where they presented

their claim respecting the restoration of Orkney and Shetland to the Danish crown. James received them courteously, and appointed them to reside at St. Andrews till their despatches were ready. But under the influence of Wotton and Arran, every day that he fixed to give them their audience of leave was broken, and they were detained at St. Andrews, mocked and insulted by the emissaries of Arran, who, besides the instigations of Wotton, was irritated against them because some of their attendants having known him a private soldier in Sweden, they treated him with neglect. Wotton, however, who had discovered that they were attempting to negotiate a marriage between one of the princesses of Denmark and the king, paid them the most marked attention, and, while he represented to James the ignoble descent from a race of merchants, the barbarous language and strange customs of the Danish monarchs, which rendered any match in their family degrading to a prince whose lineage was the most ancient in Europe, he condoled with the ambassadors on the usage they received, and, under a promise of secrecy, informed them of the contemptuous manner in which their king and country were spoken of at the Scottish court, which he represented as a scene of the lowest debauchery, and most riotous excess.

Enraged at the treatment they received, the ambassadors were on the point of departing, when they were happily prevented, by the interference of Sir James Melville, who, having himself been educated from infancy among courtiers, had penetrated the designs, and discovered the arts of the English envoy. In a confidential conversation, he exposed the artifice by which the king had been misled, and they ill used, and entreated them not to yield to the underhand dealings of their opponents, nor afford them a triumph, and involve the two countries in hostilities, by an abrupt departure. With considerable difficulty he succeeded in undeceiving the king, to whom he explained the alliances which Denmark had formed with the most ancient houses on the continent, and the near relationship in which they stood to himself. He likewise represented the deceitful manner in which Wotton had acted, and expatiated on the honour that had been done him, by sending so splendid an embassy. James, who was liable to be



influenced by the last speaker, expressed his satisfaction at his information, and said he would not for his head, but that the verity had been shown him.

Wotton, counteracted in this attempt, by the superior dexterity of Melville, bent his attention with greater keenness, to accomplish the more important object of his mission, the removal of Arran from the councils of the king. In this he was aided by a circumstance, not uncommon in these troublous times, but rendered important by the rank of the nobleman who fell. At a meeting between the wardens on the borders, to arrange their differences, and settle the restitutions, a quarrel ensued, in which Sir Francis Russel, son of the earl of Bedford, was killed. Kerr, of Fernihurst, the Scottish warden, was accused of being accessory to the murder, at the instigation of Arran, whose niece he had married, and application made to the Scottish king that he should be delivered up, but Arran opposing this, Wotton entered a complaint, which was strongly seconded by the master of Gray, and in consequence, Arran was committed prisoner to the castle of St. Andrews, and Fernihurst to Aberdeen. By a bribe to the master of Gray, Arran, in a few days procured his liberty, and was permitted to retire to his estate of Kinniel, but before he set out, James contrived to borrow from him a massy gold chain, of considerable value, which he bestowed as a present on the Danish ambassadors, who, about the same time, were honourably dismissed. The absence of Arran, afforded Wotton, and the friends of the exiles, the fairest opportunity for maturing their plans, which they did not fail to improve. Their friends were all prepared for their reception, and the whole country directed to expect their arrival. James alone appeared ignorant of the plot, and the first notice he received, was information sent to him, while hunting in the neighbourhood of Hamilton, that the banished lords had passed the borders, and were joined by Maxwell, with the forces he had raised, to oppose Johnston. Surprised at the intelligence, he immediately sent for Arran, and returned to Stirling, where he was met by another equally unexpected discovery. Wotton, not content with effecting the return of the nobles, had formed the design of seizing the king's person in the park of Stirling, and

carrying him to England, but the design being discovered, Wotton departed, "without bidding good night," only he left a letter for the king, in which he alleged the return of Arran to court as his excuse.

Meanwhile, the lords continued to advance. On their entering Scotland, they issued a declaration, which they dispersed widely, explaining the motives by which they were impelled to take arms; these were, to deliver the king from evil counsellors, restore the liberty of the church, procure the repeal of the late acts, deliver the country from oppression, and preserve the relations of amity with England. They also enumerated the crimes of Arran, whom they depicted in the most odious colours, and charged with having aimed at the crown,\* and classed colonel Stuart along with him, as the chief corrupters of the king, but named none of the other attenders at court. This marked distinction, connected with the letter left by Wotton, which the king had shown Arran, created dissensions among the courtiers. Arran and Stuart immediately accused Gray of being accessory to the plot. Gray denied it stoutly, and to such a height was the quarrel carried, that Arran, with his associates, the earls of Crawford and Montrose, had determined to have assassinated Gray and Bellenden, had they not withdrawn. Meanwhile, the preparations for resistance were either thwarted, or rendered ineffectual, the castle was unprovisioned, and the few troops that had been assembled, were heartless in the cause. Nor were the lords unacquainted with the state of affairs, they therefore hastened their march, and on the last day of October, 1585, arrived at St. Ninians, not quite a mile from Stirling, where they halted, and drew up in order of battle. The gates of the town were shut, and Arran had undertaken to guard the entry by the bridge that night, but by means of their friends, they entered the place in another direction, and took possession without resistance. On the cry that the town was taken, Arran, having locked the gate of which he had the command,

\* He, in the plenitude of his power, had deduced his descent from Murdoch, the regent, who suffered in the reign of James I., and had had the insolence or folly, to renounce formally in parliament, all claim or pretension to the inheritance of the crown. Spotswood, p. 341.

threw the keys into the Forth, and fled. Colonel Stuart attempted resistance in the market-place, and might perhaps have turned the fortune of the day, had he been at all supported, for the borderers, according to their usual custom, had already dispersed to examine the contents of the stables, but his numbers were insignificant, and were quickly dispersed.

Next day, the castle was invested, and being totally unprepared for a siege, the king found himself under the necessity of coming to some agreement. The lords were equally anxious. They declared, "that nothing was more dear to them than the king's honour and safety, but, banished their country, robbed of their estates, their friends cruelly prosecuted, and all access to his majesty denied, they were forced, in order to save themselves from ruin, to act as they had done, yet, if admitted into his majesty's presence, they would humbly solicit his forgiveness." When this was reported to the king, who was in no situation to resist any demand they might have chosen to make, he appeared gratified with their submission, and replied he had never approved of Arran's violence, although, at the same time, he could not help being dissatisfied at the line of conduct pursued by the lords, yet, for the sake of public peace, he would pardon and overlook every thing. Only he required, that none who were with him, should suffer harm, particularizing the earls of Crawford, Montrose, and colonel Stuart, and if this were provided for, he would willingly consent to admit them to an interview. To this the lords answered, that if the two earls were removed from his majesty's presence, and committed to the charge of some responsible noblemen, and colonel Stuart dismissed from his office, and it bestowed upon another, they would promise to prosecute no revenge. These requisitions being consented to, they were introduced into the royal presence, when, falling upon their knees, lord Hamilton, as first in rank, implored his majesty's mercy and favour. The king, in return, thus addressed him: "I never, my lord, ever saw you before, and I must confess, that of all this company, you have been most wronged. You were a faithful servant to my mother, and in my minority, when I was incapable of judging, you were indeed hardly used. As for the rest of you, your own conduct

procured your sufferings, yet, as I believe none of you meant any harm to my person, I give you all my hand and heart, and I will remember nothing that is past, provided for the future you behave as dutiful subjects." A pardon in the most ample form was then granted them, and next day publicly proclaimed by sound of trumpet. The earls of Crawford and Montrose were committed to the charge of lord Hamilton, who was also appointed governor of Dunbarton castle. Colonel Stuart was allowed to retire, and the command of the guard was given to the master of Glammis. Stirling castle was committed to the earl of Marr, and the castle of Edinburgh to Sir James Hume, of Coldinknows. So soon as these arrangements were settled, a parliament was summoned to meet at Linlithgow, to establish the tranquillity of the country. At this parliament, the king's pardon was ratified, the forfeitures reversed, and the returned nobles restored to all their honours and estates. Arran, deprived of his title, which reverted to the right owner, stripped of the fruits of so many crimes, and declared a public enemy, protracted for some time his wretched existence in a distant corner, under his original obscure name of captain James Stuart, by which he must in future be designated, and which it had been happy for him he had never exchanged for another.

As the redress of the grievances of the church had constantly formed a leading feature in all the proclamations the nobles had published, this formed part of their petition at first, and the king had acceded to it in general terms. But, as he had a known antipathy to the ministers, secretary Maitland, who soon discovered, that if their own claims were agreeably adjusted, the nobles would not be too rigorous in their stipulations for the church, previously to the meeting of parliament, concerted with them, to gratify him in this, as well as in the leniency shown to the members of the late atrocious administration.\*

\* James identified his own character with that of the administration, by the affection he retained for the worthless favourite, after his dismissal. This is mentioned by H. Woddryngton, in a letter to secretary Walsingham, January 7th, 1585, and by the French ambassador, in a letter to D'Esneval, October 31st, 1586. Nor did he fill up the office of chancellor, vacant by his dismissal, but created secretary Maitland *vice* chancellor, apparently in hope

In consequence, the king appeared resolute to support the arbitrary laws, enacted under Arran's influence, and would not hear of their repeal, as trenching on his prerogative. The nobles, with the exception of the earl of Angus, basely sacrificing their honour to their interest, deserted the church, whose most eminent preachers had suffered so much in their cause, and instead of any acts being passed in their favour, they enforced the one which was considered the most tyrannical of the whole, and annexed the punishment of death, to be executed with all rigour, against such as should publicly or privately speak to the reproach of the king's person or government, or should misconstrue his proceedings. Perhaps the nobles, who were extremely solicitous to ingratiate themselves with the king, might think they were in some measure relieved from the obligation of their promises, by an unfortunate dissension which arose between the ministers who had left the country, and those who remained. In a sermon preached by one of the former at Linlithgow, he introduced the subject of the bond, and blamed the subscribers; Craig, one of those who had subscribed, in a subsequent discourse, delivered before the members of parliament, replied, and defended their conduct, blamed the ministers who had fled, and maintained the doctrine of the royal prerogative in its widest extent. The dissension was allayed by the interposition of the more mod-

of his return. M'Crie's *Life of Melville*, p. 351. Note. Two anecdotes, for which we are indebted to the research of Dr. M'Crie, still farther establishes this identity of the king and his servant, by the savage inhumanity, and callous want of principle which they exhibit. The countess of Gowrie, after the execution of her husband, having been several times repulsed in her suits on behalf of her children, one day met the king, and "reaching at his cloak to stay his majesty, Arran putting her from him, did not only overthrow her, which was easy to do in respect of the poor lady's weakness, but marched over her, who, partly with extreme grief, and partly with weakness, swooned presently in the open street, and was fain to be conveyed into one of the next houses, where, with much ado, they recovered life of her." Davidson to Walsingham. William, prince of Orange, the patriotic assertor of the liberties of the Low Countries, fell at this time, by the hands of a hired assassin. When the news came to Scotland, the king said openly, that the prince had met with such an end as he deserved, and the greater part of the court rejoiced at the event. *Life of Melville*, vol. ii. pp. 327, 328.

erate, but Craig's sermon could not be recalled, and the doctrines which had been openly advocated, and the arguments which had been used in the pulpit, afforded, I am inclined to believe, a handle to the nobles for declining to interfere in the business.

Repulsed by the nobles, the ministers waited on the king, by whom they were most ungraciously received. At his desire, they drew up animadversions upon the acts of parliament, which they delivered in writing, and his majesty spent a whole day in his cabinet, in writing a reply to them with his own hand, in which he commences with this declaration, which he said should be as authentic as an act of parliament. "I for my part, shall never, neither my posterity ought ever, cite, summon, or apprehend, any pastor or preacher, for matters of doctrine in religion, salvation, heresies, or true interpretation of the Scripture, but according to my first act, which confirms the libertie of preaching the word, and ministration of the sacraments, I avow the same to be a matter mere ecclesiastical, and altogether impertinent to my calling, and disclaim for myself and posterity, all power and jurisdiction." He then defines what he understood by a bishop. "I allow not a bishop according to the traditions of men, or inventions of the pope, but only according to God's word, not to tyrannize over his brethren, or to do any thing of himself, but with advice of his whole diocess, or at least with the wisest number of them, to serve him for a council, and to do nothing alone, except teaching the word, administering the sacraments, and voting in parliament:" and he thus concludes, "I confess and acknowledge Christ Jesus to be the head, and lawgiver of his church, and whatever person arrogates to himself as head of the church, and not as member, to suspend or alter any thing which the word of God has only committed to them, that man, I say, committeth manifest idolatry, and sinneth against the Father, in not trusting the word of his Son; against the Son, in not obeying him, and taking his place; and against the Holy Ghost, the said Holy Spirit bearing contrary record to his conscience." To this declaration there was no reply made, and as the parliament was anxious to rise, the meeting of ministers also dissolved, having presented by their commis-

sioners, a supplication to the king, in which, after praising God for his majesty's judgment and knowledge, they craved that the weighty subject of establishing, upon a permanent basis, the perfect policy and government of the church, might be gravely considered in a conference of the most learned and pious men within the realm; and that, till next parliament, they might have liberty to hold their ordinary assemblies, and exercise their discipline, as before the restrictive acts were passed; that all ministers and masters of colleges, should be restored to their charges and livings. When the parliament, from which such great things had been expected, separated without having enacted one statute to secure the civil or religious liberty of the country, from being again laid prostrate at the nod of the monarch, or of any minion he might choose to exalt, the clergy, who had most severely felt the yoke, and who knew the value of the king's promises, were sorely disappointed, and some of the more violent among them, gave public vent to their indignation. In particular, James Gibson, minister of Pencaitland, in a sermon which he preached at Edinburgh, used the following indecorous, though perhaps not altogether unfounded expressions. "I thought that captain James Stuart, lady Jezebel his wife, and William Stuart, had persecuted the church, but now I have found the truth, that it was the king himself. As Jeroboam and his posterity were rooted out for staying of the true worship of God, so, I fear, that if our king continue in his present course he shall die childless, and be the last of his race." For this language, he was called before the privy council, and declared, in terms of the late act, to have been guilty of treason. He was committed to prison, but shortly after liberated.\* A more ludicrous scene took place in the High Church a few days after. Balcanquhall, in the course of his sermon, having attacked the order of bishops, the royal polemic arose, and demanded what Scripture he had for his assertions? Balcanquhall replied he could bring plenty; the king denied it,

\* Gibson was afterward brought before the general assembly, and having promised to make satisfaction, but failed, he was again summoned, and having neither sent a reasonable excuse, nor appeared himself, he was declared contumacious, and suspended. Calderwood, p. 221.

and offered to wager his kingdom that he would prove the contrary. The divine not appearing anxious to take the bet, his majesty sat down triumphantly, adding: "It was a custom of ministers to busy themselves with such causes in the pulpit, but he would look after them!" And, in pursuance of his promise, sent for the preacher to the palace, and argued the subject with him for more than an hour.

Adamson, archbishop of St. Andrews, first felt the effects of the restoration of the church courts. He was a man of considerable ability, a polite scholar, an elegant poet, and an attractive preacher, but immoderately ambitious, and of a very doubtful private character. At the establishment of the Reformation he was settled minister of Ceres in Fife, but gave up his charge to accompany the eldest son of Sir James Macgill, clerk-register, on his travels to France, and during his residence in that country, applied himself to the study of law. On his return to Scotland he practised at the bar, but gave it up, and accepted the living of Paisley, from which he removed to become chaplain to Morton, who, on the refusal of Melville to accept the dignity, appointed him to the see of St. Andrews. In the assembly which met in October, 1576, he affirmed he did not intend to prosecute his presentation, but before their next meeting he was installed in the archbishopric and primacy of all Scotland. After much shifting and tergiversation, he submitted to the general assembly, and subscribed the book of discipline, concerning episcopacy and church government; but afterward, being sent on a mission to England, his high episcopalian views were confirmed, and on his return to Scotland, he acted as chief promoter of those statutes by which presbytery was overturned, and strenuously defended by his pen, the worst deeds of the late administration.

At a meeting of the synod of Fife, Mr. James Melville, in his opening sermon, attacked Adamson, who was present, and accused him of overthrowing the Scriptural government established in the church of Scotland, and exercising an unlawful office. The synod immediately adopted the preacher's invective as charges against the archbishop, and, although he declined their authority, put him upon his trial. He then objected to several members, as his declared enemies, being al-



lowed to sit in judgment, and on this objection being overruled, he protested and appealed to the general assembly. Notwithstanding which, the synod proceeded, and a sentence of excommunication, which Dr. Robertson characterizes as "equally indecent and irregular," was pronounced against him.\* The archbishop, in return, excommunicated Melville, and several others of his opponents, a proceeding not less precipitate and improper, and, at the same time, appealed to the king and privy council. The king declined the appeal to himself, and referred the whole to the decision of the general assembly, who, without entering into the merits of the question, agreed to remove the sentence of excommunication, on the bishop's disclaiming all supremacy over the church, acknowledging his error in advancing any such pretensions, if he ever did so, and craving pardon for his imperious behaviour and contempt of the synod of Fife; and promising, in time coming, to conduct himself as a pastor ought, suitably to the character of a bishop, as described by Paul; and to submit his life and doctrine to the judgment and censure of the general assembly, without reclaiming or appealing from its decision. On the archbishop's subscribing a declaration to this effect, the assembly declared they held the sentence of the synod of Fife as unpronounced, and restored the bishop to the state he was in immediately before. Notwithstanding this was the most prudent measure they could have followed, in counteracting the bad tendency of proceedings both violent and rash, yet some of the members protested against the act, and the king is represented, by Spotswood, as having given a deceitful consent, temporizing in the hope of being able, at some future period, to restore the bishops to their full authority and power.

Previously to the meeting of the general assembly, the king, who used every means in his power to introduce his favourite episcopacy, appointed a conference between several of the most moderate of the ministers, and some members of the privy council. At this conference a number of articles were agreed upon, preparatory to bringing the polity of the church under the consideration of the assembly, in which the name

\* History of Scotland, book vii.

and office of bishop was allowed, but his ministrations were to be confined to one congregation; he was to act as moderator of the presbytery within whose bounds he resided, and possess the right of visitation, but under their control, and his life and doctrine were subject to be tried by the general assembly. These propositions were now laid before the assembly, and in substance adopted.

About this time, the king incurred heavy and merited censure, for his unaccountable conduct to Archibald Douglas. This man was deeply implicated in the murder of his father, but having made his escape, had fled into England six years before. The earl of Morton, and Binnie, a servant of his own, both of whom were executed for being privy to the deed, declared that he was present at the perpetration of the crime, and James had often required Elizabeth to deliver him up, which she had refused; yet now he obtained the king's license to return to Scotland, and stand a mock trial, when, being declared innocent by a jury, he was not only received into favour, but sent back as ambassador to the court of the English queen.

More eager upon settling the controversies of the church, than attentive to the civil administration of his kingdom, the internal state of the nation presented at this period a melancholy picture of lawless outrage. During the summer a quarrel arose between the chief of the M'Leans and the chief of the M'Niels, which exhibits, in a striking point of view, the feebleness of the government, and the barbarism of the Highlands and Isles. M'Lean, who was married to a sister of M'Niel's, had received his education on the continent, and by his superior civilization, his suavity of manners, and style of living, was highly popular in that quarter. M'Niel, piqued at his popularity, had frequently quarrelled with him, and, at last, to such a height did his envious feelings rise, that he determined to satiate his rancour with his blood. In order to accomplish this savage purpose, he laid a plan of the most detestable deceit. He sent a message to his brother-in-law, proposing that they should lay aside all animosity, and henceforth live in that harmony which became persons so nearly related; and to show to the whole world their reconciliation,

he offered to spend a few days in conviviality at his house, provided he would promise to return with him, and do the same at his. M'Lean replied by the messenger, that he would receive his visit with pleasure, and as to his repaying it, they could talk about that at meeting. On receiving this answer, M'Niel came next day, and was cordially welcomed by M'Lean, with whom he spent some time in the greatest seeming cordiality, and when he was about to depart, insisted on M'Lean accompanying him, offering to leave his eldest son and brother-german as pledges for his safety. M'Lean, overcome by his importunity, at length consented to go, but refused to accept any pledge, lest he should seem to distrust his kinsman's professions. Accordingly he set out along with him, accompanied by about forty-five of the principal men of the clan.

They arrived at Kintyre, M'Niel's residence, early in the morning, and the day was spent in feasting and merriment. At night, after they had retired to rest, M'Niel beset the house in which M'Lean and his company were lodged, and calling for them, invited them to come and renew the conviviality. M'Lean replied, they had already drunk enough, and wished to be left to their repose, as it was now time to go to sleep. But it is my will, said M'Niel, that you rise and come out. On which M'Lean, suspecting treachery, arose, dressed himself, and opened the door, when perceiving M'Niel standing with his sword drawn, he asked him if he meant to break his faith? I gave no faith, said the inhospitable savage, and I now mean to have my revenge on you and yours for the wrongs I have suffered. M'Lean had that night taken his nephew, a little child, to bed with him, and being put to his defence, held the boy upon his left shoulder as a target. M'Niel, perceiving that he could not hurt M'Lean without injuring his son, and the child crying for mercy to his uncle, promised to spare his life if he would give up his weapons, and surrender himself his prisoner. M'Lean, who saw no other alternative, yielded to the ruffian, and was conveyed to a place of confinement. His attendants, with the exception of two, submitted to necessity, and followed the example of their chief. These two defended the door with

such obstinate desperation, that the banditti found it impossible to force it, and in their rage set fire to the house, which was burned together with its resolute defenders. They who had submitted to the mercy and promise of the barbarian, were brought out, part next morning, and the remainder on the day following, and beheaded in presence of M'Lean. M'Lean himself, who was reserved for the same fate, would have perished also, but M'Niel was disabled by a fall from his horse, and the execution was delayed. In the interval, information was sent to the king of the horrible transaction, who immediately despatched a herald to demand that M'Lean should be delivered to the earl of Argyle; but the message was treated with contempt, and the unfortunate chief detained, and compelled to yield to the most unreasonable conditions before he obtained his liberty. No sooner, however, had he regained it, than, regardless of his extorted engagements, he entered M'Niel's domains with fire and sword, and massacring without distinction, man, woman, and child, took a cruel revenge on the wretched dependants, for the infamous treachery of their barbarous lord.

Not long before this, the earl of Eglinton, a young nobleman of the highest expectations was assassinated by some of the Cunninghames, which was also the occasion of much bloodshed.

The nobles, who now surrounded the king, were attached to England both by interest and inclination, and anxiously promoted every measure to preserve peace between the two nations. The treaty which had been proposed last year, was now concluded by commissioners from the two sovereigns, who met at Berwick, in the month of June, 1586.\* The preamble to the treaty, set forth the combination of the popish princes, for the extirpation of the true religion, as the occasion of this "straiter friendship;" and its object was declared to be the defence of the evangelic religion. The chief stipulations were—that it should be offensive and defensive against all who attempt to disturb the exercise of true religion within

\* The commissioners for Scotland were, Francis, earl of Bothwell, lord Boyd, and Sir James Home of Cowdenknowes; for England, the earl of Rutland, lord Evers, and Sir Thomas Randolph.

the two kingdoms, notwithstanding any leagues existing between the aggressor and either of the contracting parties; that in case of invasion, mutual aid should be afforded according to the following stipulations:—If England were invaded in parts remote from Scotland, the Scottish king should, when required, send a body of forces, not exceeding two thousand horse, and five thousand foot, into any part of England at the expense of the queen; in like manner, if Scotland should be invaded, the queen of England should send a body of forces, not exceeding six thousand foot, and three thousand horse, to be supported by the Scottish king; or that if England should be invaded on the north, within sixty miles of Scotland, the Scottish king, when required, should assemble the whole of his array, and keep them in the field for thirty days, or if necessary, for as long as his subjects are bound to fight in defence of their own country; and if Ireland were invaded, none of the inhabitants of the Highlands, or the Isles, were to be allowed to pass over to assist the queen's enemies. The other articles referred to the preservation of tranquillity on the borders, and provided for the amicable adjustment of any disputes which might unfortunately arise. In pursuance of which arrangements, the earl of Angus, the most virtuous and patriotic of the Scottish nobles, was appointed lieutenant of the marches, and had a sufficient force, both horse and foot, allowed him to suppress the thieves, and restrain the turbulent.

This treaty, so necessary for Scotland, and so advantageous for both kingdoms, was highly grateful to the people, and as Elizabeth had accompanied it by a letter, written with her own hand, assuring the king, that nothing should be allowed to take place, which might derogate from his right and title to the English crown, it had every appearance of being long and sincerely adhered to, when a circumstance took place, which, had James been a prince of any spirit, would never have been attempted by Elizabeth, or would have rendered peace impracticable, the union with England more hopeless than ever, and probably overturned the throne of one or other of the sovereigns—the trial and execution of Mary, queen of Scots; but it is necessary to go back a little.

Worn out with the accumulated afflictions of disappointed

hope, long confinement, and bodily distress, Mary, who had now passed the meridian of life, was become more humble in her wishes, and professing to lay aside the ambition of reigning, appeared anxious to obtain only a little more liberty, and to spend the remainder of her chequered life in dignified retirement, with the name and rank, but without the authority or pomp of a queen. She proposed to Elizabeth, that she should be associated with her son in the title to the crown of Scotland, but that the administration should remain wholly in him, while she herself was content to remain in England, under the inspection of the English court. To this proposal, Elizabeth returned no answer, so long as Lennox was in favour, and there was any probability of its being acceded to by the Scottish administration, but immediately on his dismissal, and when she knew any proposition of the kind would never be listened to in Scotland, she pretended to accede to Mary's proposals, and alleging that no obstacle prevented an entire accommodation, if the Scottish council would concur, she ordered her ambassador, Bowes, to open a negotiation, but without allowing any person to appear on behalf of the captive queen. As she anticipated, the privy council of Scotland incurred the odium of a refusal, and James himself was induced to declare, that he never had listened to any proposals for an accommodation with his mother. This transaction must have convinced Mary, had she needed to be convinced, of the duplicity of Elizabeth, and of the vanity of expecting any mitigation to the rigour of her fate from that quarter; and Elizabeth, who had with feline cruelty sported with the feelings of her prisoner, could not venture to intrust her with liberty. It was, therefore, natural for Mary to hearken to every overture that promised her freedom, and to enter into any correspondence, from which she could hope to derive the means of escape, and it was as natural for Elizabeth, who must have intensely hated the woman she had so deeply injured, to suspect her as connected with every conspiracy that was either feared, or discovered in her kingdom. Had her own subjects been united, perhaps time, and the sufferings of Mary might have softened her, but the zeal of the Roman Catholics, irritated by being deprived of power, daily threatened insurrection or assassina-

tion, and personal fear knows no pity. Her safety demanded, that she, to whom the Romanists looked up as their lawful queen, and whose sufferings they attributed to her attachment to their religion, should not be placed in a situation to hold direct communication with them, and while it is impossible to justify the tantalizing treatment she received, it must be allowed that Elizabeth, after having first used her ungenerously, was constrained by policy to use her unjustly.

Deprived of all means of directly communicating with any of her partisans, the ingenuity of the Scottish queen had found means of holding a private correspondence with them, and as this was a constant object of dread to Elizabeth and her ministers, informers, spies, and counterfeit letters were employed to discover the secrets of the unhappy Mary. In the course of these precautionary measures, a letter was intercepted from Francis Throckmorton, a Cheshire gentleman, addressed to the queen of Scots, on which he was immediately taken into custody. Among his papers were found two lists, one of the principal harbours in the kingdom, their situation and soundings, the other of all the eminent Roman Catholics in England. At his first examination, he denied all knowledge of any conspiracy, and although tortured, still maintained his innocence, but when the rack was produced a second time, he confessed his secret correspondence with the Scottish queen, and discovered a design to invade England, formed by the pope, the duke of Guise, and the king of Spain. The English exiles were to accompany the invading force, the papists at home were to join them on landing, and Mendoza, the Spanish ambassador, was employed in hastening the crisis, by encouraging the disaffected in the country, and conducting the correspondence with the continent, but this confession he disavowed at his trial, as having been forced from him through fear. Induced by the hope of pardon, he returned to it after sentence was passed upon him; but at the place of execution, when he had nothing to fear or hope, he solemnly retracted it before he suffered, and subsequent events have shown that there is a strong probability of the whole having been a fabrication. This plot, however, real or fictitious, furnished Eliz-

abeth with a pretext for increasing her severity towards the Scottish queen.

Scarcely were the terrors occasioned by Throckmorton's conspiracy abated, when the public apprehensions were again roused by a new discovery. One Crichton, a Jesuit, on his passage from Flanders to Scotland, was chased by a pirate, and he in confusion, tore some papers to pieces, and threw them away, but by some extraordinary accident, the wind blew the pieces back into the vessel, on board of which he was, and they were picked up by some of the passengers, who carried them to Sir William Wade, clerk of the privy council, late ambassador at the Spanish court, who, with great industry, joined them together, and found that they contained the account of a plot, formed by the king of Spain, and duke of Guise, for invading England. The circumstances attending this story, render it still more doubtful than the declaration of Throckmorton, but it answered the same purpose, it pointed the indignation of the people of England against the queen of Scots, and awakened their fears and affections for their own sovereign.

While these feelings were inflamed, an association was formed by the earl of Leicester, and other courtiers, to defend the queen against all her enemies, foreign and domestic, and a bond was framed, the subscribers to which, engaged by the most solemn oaths:—"That if any violence should be offered to her life, in order to favour the title of any pretender to the crown, they not only engaged never to allow or acknowledge the person or persons by whom, or for whom, such a detestable act should be committed, but vowed in the presence of the eternal God, to prosecute such person or persons to the death, and to pursue them with their utmost vengeance, to their utter overthrow and extirpation." Mary, alarmed at the danger which she saw threatening her safety, requested permission to sign the bond, but instead of any attention being paid to her request, or any alleviation given to her sufferings, she was removed from the charge of the earl of Shrewsbury, a nobleman who had fulfilled his trust with fidelity, but with humanity, for fifteen years, and given in custody to Sir Amias Paulet, and Sir Drue Drury, men of inferior rank, whose



dependance and expectations would enforce the most severe vigilance, and the most rigid execution of the harshest orders.

Another conspiracy, with which Mary had no concern, occasioned an act of the English parliament, that ultimately brought her to the block. William Parry, a doctor of laws, and a Roman Catholic, who had been condemned for some capital crime, but pardoned and allowed to travel, set out for Italy. At Milan he became acquainted with Palmio, a Jesuit, who persuaded him that he would perform not only a lawful, but a meritorious action, if he took away the life of the sovereign who had spared his. Campeggio, the pope's nuncio, approved also of this pious deed. Passing to Paris, he was still farther encouraged by Thomas Morgan, a gentleman of great credit in the party, and Ragazzoni, the papal nuncio in that capital. Hence he wrote to the pope, informing him of his design, and craving absolution, and his paternal benediction, and through cardinal Como, received a plenary indulgence, and an answer that his design was highly applauded. When he arrived in England, he procured an introduction to the queen, and entreated her to relax somewhat of her severity towards the Roman Catholics. He likewise got himself elected a member of the house of commons, where he made some violent harangues against the severe laws for restraining papists. At length, when he found all his attempts unsuccessful, he determined to carry his desperate design into execution, and he communicated his intentions to Nevil, who entered zealously into the plan, and was ambitious to share in the merit of its execution. A treatise published by Dr. Allan, afterward created a cardinal, confirmed them in their purpose; but still some lingering hesitation, arising from the remains of moral feeling, which all the sophistry of Rome had not been able quite to eradicate, induced them to allow several favourable opportunities for assassinating the queen to escape, and in the meantime, the earl of Westmoreland happening to die in exile, Nevil, who was next heir, and whose zeal had been stimulated by his poverty, conceiving that by some extraordinary service, he might recover the forfeited estates and honours, which he wisely deemed preferable to martyrdom in the cause of papacy, revealed the conspiracy to

Elizabeth's ministers, and Parry being apprehended and brought to trial, confessed his guilt, and suffered the last punishment of the law.

These repeated conspiracies were calculated to keep alive a constant agitation in the country. Under such alarming circumstances, when parliament met, the statute alluded to, passed, enacting, "that if any rebellion shall be excited in the kingdom, or any thing attempted to the hurt of her majesty's person, by, or for any person pretending a title to the crown, the queen shall empower twenty-four persons, by a commission under the great seal, to examine into, and pass sentence upon such offences; and after judgment given, a proclamation shall be issued, declaring the person whom they find guilty, excluded from any right to the crown, and her majesty's subjects may lawfully pursue every one of them to the death, with their aiders and abettors; and if any design against the life of the queen take effect, the persons by or for whom such a detestable act is executed, and their issues being in any wise assenting, or privy to the same, shall be disabled for ever from pretending to the crown, and be pursued to death in the like manner." This act, of which it would be difficult to say whether it be more cruel or unjust, was so plainly levelled at Mary, that she immediately considered it a warning to prepare for the worst, and from that time seems to have looked forward to her destruction as resolved upon, although it does not appear she ever dreamed that she would present the novel and unprecedented spectacle of a sovereign prince being brought to trial, before the bar of another, whose subjects were to be her judges.

Motives of policy may account for, or extenuate the grand injuries of imprisonment, or of death, which Elizabeth inflicted on her rival, but it is difficult to conceive any reasons, except such as degrade her character, that could influence her in rendering the few remaining days of her less fortunate cousin more wretched, by removing the only pleasures which her situation admitted—the attendance of her confidential servants, and the liberty to distribute her alms among the poor; destroying every vestige of comfort, by confining her, during the depth of winter, to two cold, miserable chambers, after years of imprisonment had broken her constitution; and by

adding insult and indignity to the other hardships of her lot. Nor can it be alleged, that these outrages upon humanity, were committed without the knowledge of Elizabeth, for Mary often expostulated, in the high unbroken spirit of a queen, with her oppressor, but her letters were treated with neglect, and it was not till Castlenau had remonstrated with vigour against the indignities to which she was exposed, that his importunity prevailed in procuring her removal to more tolerable lodgings at Tilbury.

One bitter ingredient was only wanting, to fill up the cup of Mary's suffering, and that, at the instigation of Elizabeth, was mingled by the hand of her son. James was persuaded by Gray, upon his return from England, to write his mother, whom he had hitherto treated with respect, a harsh and cruel letter, refusing to acknowledge her queen of Scotland, or to consider her affairs as connected in any manner with his. Indignant at this undutiful behaviour, in the anguish of disappointed affection, she gave vent to her sorrow, in a letter to the French ambassador. "Was it for this," said she, "that I have endured so much, in order to preserve for him the inheritance to which I have a just right? I am far from envying his authority in Scotland. I desire no power there, nor wish to set my foot in that kingdom, if it were not for the pleasure of once embracing a son, I have hitherto loved with too tender affection. Whatever he either enjoys or expects, he derives it from me. From him I never received assistance, supply, or benefit of any kind. Let not my allies treat him any longer as a king, he holds that dignity by my consent, and if a speedy repentance do not appease my just resentment, I will load him with a parent's curse, and surrender my crown with all my pretensions, to one who will receive them with gratitude, and defend them with vigour."

But the long protracted sufferings of the Scottish queen were now drawing to a close, and a conspiracy, originating in the fiery zeal of the Roman Catholics, and their hatred to Elizabeth, intended to procure Mary liberty, and the throne of England, led her to a scaffold. The English seminary at Rheims, inflamed with rage against the queen of England, whom they considered as the chief obstacle to the

restoration of their religion, had adopted the fanatical notion, that the bull of pope Pius V. by which he excommunicated, and deposed that princess, was dictated by the immediate inspiration of the Holy Ghost. The assassination of heretical sovereigns was inculcated as a sacred duty, the accomplishment of which, or even a failure in the holy attempt, entitled the worthy son of the church to the gratitude of all her members, and ensured his entrance into the society of the saints and martyrs, and the inheritance of an eternal crown of glory. Dr. Gifford, Gilbert Gifford, and Hodgson, who had been educated at that college, imbibed these wild doctrines, and instilled them into the mind of John Savage, a man of desperate courage, who had served some years in the Low Countries, under the prince of Parma. Elevated by these enthusiastic reveries, and the exhortations of the priests, Savage bound himself by a solemn vow, to murder Elizabeth.

About the same time, John Ballard, a trafficking priest of that seminary, returned to France, from a mission to England. In his progress through these kingdoms, he had observed the universal spirit of discontent which animated the Roman Catholics, who only wanted a leader, and a little assistance from abroad, to break out into open insurrection, and upon this he had built a project for overturning the throne of Elizabeth, advancing Mary to her place, and re-establishing the ancient religion. He communicated his ideas to Mendoza, the Spanish ambassador in Paris, who strongly encouraged him to expect assistance from his master, and the duke of Guise. But Charles Paget, a zealous Englishman of the same communion, and a devoted partisan of the queen of Scots, strenuously insisted upon the removal of Elizabeth, and the deliverance of Mary, as necessary preliminaries to the re-establishment of the Roman Catholic religion in England. Ballard was, in consequence, sent back to England, furnished with an introduction to Anthony Babington, a young gentleman of good family, and large property, in the county of Derby, a zealot for the Romish faith. While in France, Babington had got acquainted with the bishop of Glasgow, Mary's ambassador at that court, and some other of her exiled adherents, by whose representations his young and warm mind

was so much interested in the fate of the unfortunate queen, that he was recommended to her without his knowledge, as a person well qualified for her service. On his return to England, she wrote to him a confidential letter, and for some time he was the medium through whom her foreign correspondence was managed; but after she was committed to the custody of Sir Amias Paulet, and Sir Drue Drury, their vigilance rendered it unsafe, and he desisted for some time from attempting to do any thing in that business. Subsequently, when Ballard arrived, he waited upon Babington, and imparted to him the design of invading England, and placing the queen of Scots upon the throne. Babington, whose views were similar to those of Paget's, immediately represented the impracticability of any attempt to overturn the established order of things during the life of Elizabeth, and Ballard, in return, acquainted him with the vow which Savage had made. He, however, considered this as too great an attempt to be intrusted to one individual, and proposed to join five others in the desperate enterprise along with him, which being agreed upon, he engaged Barnwell, of a noble family in Ireland, Charnoc, a gentleman of Lancashire, Abington, whose father had been cofferer to the household, Charles Tilney, the heir of an ancient family, and Tichbourne of Southampton, to assist in the assassination of the queen, while he, at the same time, joined by Edward Windsor, brother to the lord of that name, Thomas Salisbury, Robert Gage, John Travers, John Jones, and Henry Donne, all of them men of good families, united together by the bonds of private friendship and religious zeal, would effect the rescue of the queen of Scots, by attacking her guards with a hundred horse, when she should be taking an airing.

While the conspirators were maturing their plans, as they thought, with the most profound and impenetrable secrecy, not a step that they had taken was unknown to the sagacious Walsingham. He had in his pay Maud, a Roman Catholic priest, who accompanied Ballard to France, and informed him of the outline of the plot; Polly, another of his spies who pretended 'great zeal for the cause, had engaged in the conspiracy for the purpose of betraying it, and daily reported

to the secretary the proceedings of the conspirators. But still the whole extent of the conspiracy was not known, when Gifford, the priest, arrived in England, to invigorate the resolution of Savage, and manage the correspondence of Mary.

From some motives of interest or remorse, this unprincipled seducer turned informer, and transferred his services to the ministers of Elizabeth. He was employed by the conspirators to manage a private correspondence with Mary, and to inform her of their designs, and he immediately applied to Walsingham, to afford him facilities for carrying it on. Walsingham directed him to Sir Amias Paulet, and proposed that Paulet should connive at Gifford's corrupting one of his servants, but Paulet's stern integrity would not consent to allow any of his servants to be tampered with. A brewer, however, who supplied the family with ale, was bribed to carry letters to the captive queen, which were thrust through a chink of the wall, and answers returned by the same means. The letters thus conveyed were all subjected to the inspection of Walsingham, who, after opening them and taking copies, sealed them so carefully that the deceit could not be perceived, and forwarded them regularly to their destination. Babington, in his letters, informed Mary of all their plans, for her escape, for the assassination of Elizabeth, and the projected insurrection, and she, in reply, commended his zeal for the Roman Catholic religion, approved of their designs, and promised the highest rewards to the gentlemen who were to carry them into execution. Besides the letters, Walsingham became possessed of another means of detection, by which, after being already acquainted with the names, he became also acquainted with the faces of the conspirators. Babington, with a folly which tends greatly to invalidate the accounts given of his superior ability, had caused a picture to be painted of himself standing in the midst of the six assassins, with this motto affixed:—*Quorsom hactenus properantibus?* Of this picture Walsingham obtained a copy, which was brought to Elizabeth, and so well was it performed, that one day, when walking abroad, she recognized Barnwell, one of the conspirators.

Every thing being now arranged, Babington became impatient for the arrival of the foreign auxiliaries, and furnished

Ballard with money to proceed to France, and urge their departure; but as it was difficult to obtain a passport, he procured an introduction to Walsingham, and applied to him for two, one for Ballard, under a feigned name, and one for himself. Affecting great loyalty for the queen, and promising, from his connexion with the Roman Catholics abroad, to procure important information respecting their designs, Walsingham allowed him to proceed, pretended to give credit to his professions, treated him with the greatest apparent cordiality, expressed a high value for his proffered services, and promised him an ample reward; at the same time, gave him reason to expect that he would soon be furnished with the passports.

The conspirators having been allowed to bring their plot almost to the point of execution, Elizabeth, to whom alone Walsingham had communicated his proceedings, alarmed for her life, insisted upon his immediately putting a stop to the further prosecution of the design. A warrant was issued, in consequence, for seizing Ballard, and this incident alarming the others, they began to consult about their own safety. Some proposed that they should immediately endeavour to escape; others, urged by their zeal or their despair, recommended that the attempt upon the queen should be instantly made. Babington, who at first was in the utmost consternation, when he saw the seizure of Ballard followed up by no other measures against any of the rest, and as the pretext under which Ballard had been apprehended was, that being a popish priest, he had entered the kingdom without license, recovered his composure, and even waited upon Walsingham to endeavour to procure his liberation. That subtle statesman expressed his regret at Ballard's arrest, which he attributed solely to the officiousness of the spies employed to detect priests and Jesuits, and promised his utmost endeavours to procure his release. Meanwhile, he gave orders to have Babington more narrowly watched, which Babington having perceived, made his escape, and gave the alarm to his associates,\* who all fled, but after skulking a few days in

\* Scudamore, the person employed to watch Babington, received the note from Walsingham, desiring him to be more vigilant in his office, while at supper with him at a tavern, and having held it carelessly while he read it, Bab

disguise, they were taken and committed to prison. On their examination they accused each other, and finally discovered all they knew. Fourteen were executed, seven of whom were embowelled alive.

The execution of the conspirators was immediately followed by deliberations in the English cabinet about the disposal of Mary. Elizabeth, and those more immediately in her confidence, had already determined her fate. They proposed that she should be brought to public trial, under the statute which had been enacted last year with especial reference to her case; others, who thought that it would be derogatory to the royal blood to see a queen tried like a common felon, were averse to this proceeding, and advised, that as her constitution was now broken by long confinement and disease, she should be suffered to sink silently under her accumulating infirmities. Leicester recommended that she should be secretly carried off by poison, and sent a divine to Walsingham, to silence his scruples on the subject; but Walsingham rejected with abhorrence the proposal, and continued fixed in his opinion, that the Scottish queen should be brought to an open trial, which at least would have a show of justice, although, from the state of public opinion with regard to Mary, and the means which had been taken to connect her death with the safety of their own queen, little more than a mere form was to be expected from any jury the court would select to judge the cause.

The English ministers were, perhaps, even more than Elizabeth interested in procuring the death of Mary. They had injured and insulted her beyond the possibility of forgiveness. She was unequivocally the next heir to the English crown, and her claims were supported by a powerful body in the nation, whose religion was similar to hers, and adverse to that of the state. The people, who were not accustomed to

ington had an opportunity of also perusing its contents; on which he rose from the table, and leaving his cloak and sword behind him, went out as if to settle the reckoning, but proceeded instantly to Westminster, and changing his clothes, withdrew into St. John's wood with some others, and lurking about for ten days, were at last discovered near Harrow-on-the-Hill, hid in barns, and dressed like countrymen.—Cambden.



make nice distinctions, would most probably adhere to her who had no rival, and her exaltation to the throne, from which she was only excluded by the life of Elizabeth, would be the signal for their ruin. Their personal safety demanded the sacrifice of Mary. A general alarm was therefore artfully kept up by them, and various publications had been disseminated, to persuade the nation that the safety of the two queens was incompatible, and the public voice was made to echo the sentiments of the confidential advisers of the crown.

While all England was agitated by these discussions, so strict was the vigilance exercised, that the person most deeply interested in them, had been kept in utter ignorance of all that had taken place. With the same studied cruelty that had all along been used towards her, the communication of Babington's trial and execution, the discovery of the conspiracy, and the imputation with which she was loaded as accessory to it, were abruptly announced to her by Sir Thomas Georges, who was despatched by Elizabeth for this purpose. The time he chose for surprising her with the intelligence, was just as she had got on horseback to ride out with her keepers. Struck with astonishment, she would immediately have returned to her apartment, but was not permitted. She was led, for some days, from one gentleman's house to another, till she was at last lodged in Fotheringay castle, in the county of Northampton. Her two secretaries, Naue, a Frenchman, and Curle, a Scot, with her principal domestics, were all arrested; her private closet was broken open; her cabinet and papers, among which was her correspondence with persons beyond sea, and with many noblemen in England, were sealed and sent to London. About sixty different keys to cyphers were found, and nearly two thousand pounds in money, which was also secured.

Having determined to dispense with the essentials of justice, and subject to a trial a sovereign princess, over whom no law allowed her any power, Elizabeth resolved to render the scene as imposing as possible. According to the act, forty commissioners were appointed to hear and decide in this important case, and to these men, the most illustrious for rank and office in the kingdom, were added five judges. Some difficulties

were started about the designation of Mary, which were at last resolved, by adopting the one considered the most humiliating: "Mary, daughter and heir of James V. late king of Scots, commonly called queen of Scots, and dowager of France." The commissioners came to Fotheringay on the 11th of October, and next morning delivered to Mary a letter from Elizabeth, written in the most bitter style, and filled with invective, informing her that she had at last been compelled, by a regard to her own safety, to institute a public inquiry into her conduct, and requiring her to submit to the laws, whose protection she had so long enjoyed. Mary replied, that she had always considered the association, and the act of parliament, as aimed at her life, and that she would be brought to bear the blame of whatever was concerted in other countries; but she was surprised that the queen of England should consider her as a subject, and command her to submit to a trial. She was a sovereign queen, and would do nothing prejudicial to the honour of royalty, to her own dignity, or to that of the king, her son. Besides, she was ignorant of the laws and statutes of England, was destitute of counsel, nor did she know who, in that kingdom, were entitled to be called her peers, or had a right to sit in judgment upon her conduct. She affirmed solemnly, that she was guiltless of the crime imputed to her, nor had she ever countenanced any attempt upon the life of Elizabeth, and she demanded to be charged only upon her own words or writings, which she was confident were never criminal, and challenged their production. Next morning the commissioners sent her a copy of her answer, which she said was accurately enough taken, only she had omitted one material objection. It was said that she should be subject to the laws of England, because she had lived a long time under their protection; now it was notorious to the whole world, that she came to England to implore the assistance of the queen, her sister, not to subject herself to her authority; but she had been ever since detained in prison, and had enjoyed no protection from the laws, nor did she so much as understand their nature.

For two days she continued to decline the authority of the commissioners, and would not admit that Elizabeth possessed

any jurisdiction over her, except what was usurped by force. The judges, who had affected to find a difficulty about a mere trifle, the style and title by which Mary was to be indicted, found none in setting aside the two substantial and incontrovertible pleas which she urged against her trial—her royal dignity and forcible imprisonment. A deputation was sent to her by the commissioners on the second day, but still she refused, even although threatened to be proceeded against in absence, when Hatton, the vice-chamberlain, by an insidious speech, at last prevailed upon her to consent to appear. He told her: “That she was accused, but not condemned; that if innocent, she injured her reputation by allowing a sentence to be passed against her without taking the opportunity of publicly clearing herself before a court of upright and honourable men; and that the queen herself had told him at his departure, that nothing would give her greater pleasure than to find that the charges were groundless.”

On the 14th of October, Mary made her first appearance before the commissioners, and at no period in her life does the unfortunate queen of Scots appear so interesting, as when the whole legal and political array of England was marshalled against her, and she, friendless and alone, without counsel, and without even the use of her own papers, had to combat at once the greatest lawyers, most acute counsellors, and most implacable enemies.\* The chancellor opened the business of the court by informing Mary, that she was accused of compassing the death of the queen, conspiring against the safety of the realm, and attempting the overthrow of the protestant religion; and that they were commissioned to examine the truth of the accusation, and hear her answer. The queen then rose and protested, that although she had condescended to appear there to vindicate her innocence, her appearance was not to be construed as any acknowledgment of the authority of the judges; she was a queen, and no subject of Eliza-

\* The judges met in the great hall of the castle. At the upper end of the room, was placed a chair of state for the queen of England, under a canopy of state; over against it below, at some distance, near the beam that ran across the room, stood a chair for the queen of Scots. By the walls on both sides were placed benches, on which sat the commissioners.—Camden.

beth's, and if she stood before them, it was only to secure her honour and reputation. The chancellor answered, that all who resided in England were amenable to the laws of England, and the statute upon which her accusation was founded, recognized no distinction of persons. The commissioners ordered both protest and answers to be recorded, and proceeded with the trial. The attorney-general then read the commission for her trial, in which the act was specified. When he had finished reading, she strongly protested against the act, as passed directly and purposely against her. Cecil—lord Burleigh—replied, every person in that kingdom was bound by the laws, however enacted; and the commissioners determining to proceed, Mary at length said, she would, notwithstanding the protestation, hear and answer respecting any facts committed against the queen of England. On this the attorney-general proceeded with the charge against her, detailed all the proceedings of Babington's conspiracy, and produced copies of Babington's letters and confession, and some letters in cipher from herself to Babington, in which mention was made of the earl of Arundel and Northumberland. Mary, who had hitherto remained unmoved, when she heard this passage, burst into tears, and exclaimed: "Alas! what has the noble house of the Howards endured for my sake." The confessions of Savage and Ballard were next read, acknowledging that Babington had communicated to them several letters he had received from the queen of Scots; after which, other letters in cipher were brought forward, wherein she approved of the conspiracy, and these letters were substantiated by the confessions of her own secretaries, Naue and Curle. Mary, who answered the articles *sereatim*, denied that she knew Babington, or ever received any letters from him; affirmed that she never had entered into any plot against the queen's life, and to prove such a charge, it was requisite not to produce copies which might be forged, but the letters themselves in her own handwriting or subscription, which they could not. As to Ballard, she never saw him, and being a prisoner, she could not prevent the plots of a foreigner. The ciphers, she said, she knew nothing about, and besides the ease with which her enemies could procure them to be

counterfeited, they contained internal evidence of their being fabrications; for how could she ever think of employing the earl of Arundel, who was at the time shut up in the tower, or the earl of Northumberland, quite a youth, and totally unknown to her; but she was afraid this was a practice too familiar to the secretary, who, she had heard, had frequently plotted against her life. At this remark Walsingham rose, and protested that neither in his private nor public capacity, had he done any thing unbecoming an honest man. But his regard for the safety of the queen and the realm, had made him diligently search out all plots and designs against them, and if Ballard had offered his assistance, he would not only not have refused, but have rewarded him for his services; and if he had tampered with any of them unfairly, how was it that none of them accused him when their lives were at stake? With this answer Mary declared herself satisfied, and begged of him that he would give no more credit to those who slandered her, than she did to those who slandered him. Spies, she added, were men who were little to be depended upon.

At the second sitting, in the afternoon, copies of the letters Mary had received, informing her of the conferences held at Paris, for the purpose of invading England, were read, and proved by the evidence of her secretaries, Naue and Curle, given before the privy council. These, she observed, had no reference to a design upon the queen's life, and as any attempt to invade an enemy's kingdom had never been considered unlawful, she neither affirmed nor denied the fact, but remarked upon the proof adduced from the testimony of her secretaries, that she believed Curle the Scot to be an honest man, but no competent witness, as he was wholly under the direction of Naue, the Frenchman, who she feared was not inaccessible to corruption, who might have written as her letters, what she never dictated, they ought therefore to have been produced in court, and examined in her presence,\* and

\* Hume endeavours to defend, but I think unsuccessfully, the keeping back these witnesses. "The not confronting of witnesses," he concludes, "was not the result of design, but the practice of the age." *Hist. of Eng.* vol. v. ch. 42. Note. Now by an act of the 13th of Elizabeth, to which he himself refers, it was expressly declared that witnesses should be confronted with the

she was persuaded their evidence would have acquitted her. To elude the force of this objection, which it was impossible fairly to meet, Burleigh brought forward two new charges, which had no connexion with the crime they were commissioned to investigate, and accused her of intending to send the king her son to Spain, and to make over to Philip II. her right to the English crown. To the first she did not deign to reply, and as to the second, affirmed her right to convey to whoever she chose, all her hereditary claims, but this, she added, was no proof of her having consented to any project for killing the queen of England. The invasion of the kingdom, and the overthrow of the protestant religion were then introduced, and her letters to Inglefield, Mendoza, and Paget read. These she said, merited no answer, being also unconnected with the charge of her accession to the conspiracy against the life of her sister, to whom she had often told, that she would use every effort to procure her liberty.

Next day, when the court met, Mary repeated her protestation against its authority, and complained of the manner in which she had been treated by the introduction of much extraneous matter, and that all her letters were publicly read, even when containing matters altogether foreign to the impeachment. When she sat down, Burleigh said he would answer her in his double capacity of commissioner and privy counsellor; as a commissioner, he informed her, her protest was recorded, and a copy would be delivered; that their authority was founded on letters patent, under the queen's own hand, and the great seal; and as to reading her letters, of which she complained, the circumstances which were not immediately connected with the charge, were so interwoven with others that were, that it was impossible to separate them,

accused, and although Mary was not tried under that act, yet the principle was acknowledged in the law of England. It is needless to say this was "a novelty," it was an enactment previous to the act under which Mary was tried, had been introduced into practice, and was not repealed by that act. The letter of Elizabeth, quoted in the same note, contains strong symptoms of the omission being designed. She had been consulted about allowing Nause and Curle to be produced, and "she was willing to agree to it, only she thought it needless," a very intelligible hint to the managers of the trial.

and rendered it necessary to read the whole. She here interrupted him, and reminded him, that the letters were not authenticated, that those produced had no subscription or address, might be directed to others than the persons alleged, or things might be inserted in them, which she had never authorized, and that having been deprived of all her papers, she was prevented from every means of vindicating herself, or detecting what was false. To this the lord treasurer replied, that as nothing was charged against her, that had taken place previous to the 19th June last, her memory could easily furnish whatever was necessary for her defence; besides, the papers could be of no service to her, as Babington and her secretaries had owned that they came from her, and it was for the commissioners to judge, whether their affirmation, or her denial was most worthy of credit. As a privy counsellor, he would allow that she had made many efforts to procure her liberty, but it was owing to herself and the Scots, that they had proved fruitless. The Scottish lords had refused to give the king as a hostage, and during the very last negotiation, Morgan, one of her agents, had sent Parry to England, to assassinate the queen. At this unmanly, unfair, and insidious insinuation, Mary cried out, Ah! you are my adversary! Yes, said he, I am an adversary to all queen Elizabeth's enemies. The last evidence produced against Mary, was her letters to Paget, telling him that in her opinion there was no way left to reduce the rebellious Netherlands, but by placing a true Catholic on the English throne. A copy of a letter to her from cardinal Allen, in which he calls her his most dread sovereign lady, and told her that the business was recommended to the prince of Parma's care, and some passages out of her letter to Mendoza, mentioning her design to make over her right to the throne of England to the king of Spain.

In her final reply, Mary, who was chiefly anxious to free herself from the only charge which could be considered criminal, compassing the queen's death, again repeated her denial of any knowledge of the proposed attempt, or any connexion with Babington's conspiracy, asserting that Babington and her secretaries had accused her, to save themselves, and Naue and Curle, had, probably from fear, confessed any falsehoods

that were suggested, imagining that her royalty would protect her. But, besides, their testimony was wholly unworthy of credit, for having sworn never to reveal any of her secrets, they could not, without perjury, give evidence against her. She never had heard of any such person as Ballard, but one Hallard had offered her his service, which she refused, because she knew he was one of Walsingham's spies. All the rest of the charges, even if proved, were of no importance, for they did not bear upon the principal charge. She could not hinder foreigners from giving her what titles they pleased, nor could she be accountable for the conduct of persons in other countries, while she was herself a prisoner in this. With respect to her design of making over her rights to the crown of England to the king of Spain, her friends, from the state of her health, had suggested its propriety, and she, without hope of ever obtaining her liberty from the justice of the queen of England, or by any other means, had now resolved not to refuse foreign aid. When Mary had concluded, Burleigh asked her if she had any thing else to offer in her defence, upon which she demanded to be heard before parliament, or the queen in council. To this no reply was made, and the court adjourned to the star chamber, Westminster, without coming to any decision.

When the court again assembled, Naue and Curle were brought before them, and confirmed their former declaration upon oath, and the commissioners unanimously declared Mary to have been privy to Babington's conspiracy, and "also, that the said Mary, pretending a title to the crown of this realm, has had compassed, and imagined within this realm, divers matters, tending to the destruction of the royal person of our sovereign lady the queen, contrary to the tenor of the statute, made for the security of the queen's life."

It were superfluous to enlarge on the unfairness of this trial, as, even on the supposition of Mary's guilt, and allowing that Elizabeth had possessed a jurisdiction over her, to remove from her every means of defence, usually granted to the lowest criminal, to refuse confronting Naue and Curle with the accused, and afterward to produce them before the commissioners in the star chamber, and to allow her declared enemies



to sit in judgment, were acts of oppression or partiality, incompatible with equity. It is indeed evident from the whole proceedings, that Mary's death was determined upon, before these commenced, and that the solemn farce was got up, to throw an air of justice over an action which the parties wished to perpetrate, and did not well know otherwise how to accomplish; for, however the council of Elizabeth may have been persuaded of Mary's participation in Babington's conspiracy, and however strong the presumptions may be that she really was, yet the evidence adduced, did not amount to legal proof. On the same day that sentence was pronounced, the judges gave their opinion that this sentence did not derogate in any manner from the title of James, the king of Scotland, to the English crown.

Four days after the sentence was pronounced, a parliament was summoned, which was opened by commission, the queen professing, that from motives of tenderness and delicacy, she could not be present, as she foresaw that the affair of the queen of Scots would come under consideration, and she had not courage to stand the discussion. Both houses immediately entered upon an inquiry into the late conspiracy, the danger that threatened the queen's life, as well as the peace of the kingdom, and the safety of religion. The whole proceedings at Fotheringay were laid before them, and unanimously approved of. The sentence of the commissioners was likewise ratified, and declared to be just, and well founded, and a joint address was voted to the queen, beseeching her to allow its publication, and consent to its being carried into execution. Yet the reasons they brought in support of these violent measures, were not founded on the clearness of Mary's guilt, but on the restlessness of her character; and expediency, rather than justice was urged, to hasten the punishment of a dangerous and designing rival. Her own safety, and the safety of her people, it was alleged, could never be secure, so long as she was suffered to live, whom the utmost vigilance could not prevent from intriguing, and who, even in the solitude of a prison, had for so many years kept the kingdom in a state of constant agitation and alarm. Elizabeth replied to their petition, in an ambiguous, embarrassed, and seemingly irresolute

speech. She stated the numerous dangers she had escaped, adverted to the increasing affection of her people after a reign of twenty-eight years, which she considered as little less than miraculous, and which were she to lose, she might continue to breathe, but would cease to live. She then expressed her grief at the crimes of one so nearly allied to her by blood, of the same stock, and of similar dignity, yet, were her own life only concerned, and not the welfare of her people, she could willingly and readily pardon; or, if by her death England would be rendered more flourishing, and obtain a better prince, she would cheerfully lay down her life, as it was for her people's sake alone she desired to live. She expressed great reluctance to execute the sentence on her kinswoman, affirmed the late statute, so far from being framed to ensnare her, was intended rather to warn and deter her from engaging in any treasonable practices; and now it had enabled her to select a number of the noblest personages of the land to examine so weighty a cause, instead of sending a princess to be tried before a jury of twelve ordinary men; then, after alluding to her absenting herself from parliament, lest she should have had her troubles increased, by hearing the matter mentioned, she assured them it did not proceed from any dread of danger, or apprehension of any treacherous attempts, and immediately added, "but I will now tell you a farther secret—though it be not usual for me to blab forth in other cases what I know—it is not long since these eyes of mine, saw and read an oath, wherein some bound themselves to kill me within a month," and concluded by telling them, that it was her custom to deliberate long in lesser matters than this, before she resolved, and hoped they would not expect any immediate decision from her, on a subject of such immense magnitude. In the meantime, she besought Almighty God to illuminate and direct her heart, to see clearly what would be best for the good of the church, the prosperity of the commonwealth, and their mutual safety, and the result she would immediately communicate to them.

A few days after, Elizabeth sent a message to both houses of parliament, entreating them to devise some expedient, by which the life of the queen of Scots might be saved, and the

safety of the state secured. The message was taken into immediate consideration, and four ways were suggested to save Mary, but all were declared inefficient:—Her repentance—which was not to be expected; her oath and bond, that she would engage in no conspiracies for the future—these were not to be trusted; her giving hostages—a vain precaution; or allowing her to depart the kingdom—the most dangerous of all, for, if while a prisoner, she had stirred up so many in her cause, what would she not attempt if set at liberty; there therefore, remained no method for securing public tranquillity and the queen's safety, but by carrying the sentence into immediate execution, and an address was voted to her majesty to that effect, in which they represented the impropriety of delay, for if it were injustice to deny the execution of the law to the meanest of her subjects, how much more to refuse it to the unanimous demand of the whole people. Although this was the point to which all Elizabeth's proceedings tended, her second answer was equally indecisive, though not quite so ambiguous as the first, for it more plainly insinuated the necessity of the death of Mary. She complained of the distressing situation to which she was reduced, by having her safety made to depend upon the ruin of another, and the great reluctance that she, who had pardoned so many rebels, felt, in appearing cruel toward so great a princess, notwithstanding their resolution, that her security was desperate without the death of the other. "But so far," continued she, "am I from cruelty, that though it were to save my own life, I would not offer her the least violence; neither have I been so careful to prolong my own life, as how to preserve both hers and mine, which now, that it is impossible to do, is my most grievous affliction." To show however, "what manner of woman she was, about whose preservation they had taken such extraordinary care," she expatiated at length upon her care for religion, her love to her people, and her constant labours for their advantage, from the first day she had swayed the sceptre, and then, after expressing her gratitude for their labours, dismissed the committee of parliament, in a state of as great uncertainty as ever, with regard to her final deter-

mination. \* The queen having thus obtained from their urgent entreaties, a plausible apology for ordering the execution of Mary whenever she chose, the parliament was prorogued, and the sentence published by proclamation.

As soon as parliament broke up, lord Buckhurst, and Beale, the clerk of the council, were sent to acquaint Mary with the sentence pronounced against her, with the earnest supplications of that assembly, and the clamorous importunity of the people for its execution, as the established religion of England was not considered secure, so long as she continued alive. Mary received the intelligence, as what she had long expected, not only with firmness, but even with triumph, attaching to herself from the last expressions, the character of a martyr for her religion. She added, "It was not strange that the English, who had so often murdered their own sovereigns, should now treat her, who was sprung from the same origin, in a similar manner." After the annunciation of the sentence, Paulet, her keeper, was ordered to treat her no longer as a sovereign princess. Her canopy of state was taken down, and he told her she was now to be considered as a dead person, incapable of any dignity. She only replied, that she had received her royal character from the hands of the Almighty, and no earthly power could bereave her of it. In her last letter to Elizabeth, however, she complained, though mildly, of the indignities to which she was exposed, while she expressed her gratitude to heaven, that they were now drawing to an end, and she preferred, as her dying requests, that her body might be buried in Catholic ground, in France, near the remains of her mother, that she might not be put to death in private, but in the presence of her servants,

\* The conclusion of her speech is curious. "And now for your petition, I desire you for the present to content yourselves with an answer without answer. Your judgment I condemn not, neither do I mistake your reasons but I must desire you to excuse those thoughtful doubts and cares, which as yet perplex my mind, and to rest satisfied with the profession of my thankful esteem of your affections, and the answer I have given, if you take it for any answer at all. If I should say I will not do what you request, I might say perhaps more than I intend, and if I should say I will do it, I might plunge myself into as bad inconveniences, as you endeavour to preserve me from."

who might bear testimony to her constancy in the faith, and that afterward they might be allowed to depart without molestation, wherever they chose, and enjoy the legacies she had bequeathed them in her will; and she besought her in the name of Jesus, by the soul and memory of Henry VII. their common ancestor, and by the royal dignity with which they were both invested, to grant her these favours. To this letter no answer was returned.

No sooner were the extraordinary proceedings against Mary known, than Henry III. of France ordered L'Aubespine, his resident ambassador, to interpose in behalf of Mary, and, in addition, he despatched Bellievre with the professed intention of interceding for her life, but it is said, with private instructions to hasten her death.

With, perhaps, more sincerity, but with as little effect, the young king of Scots solicited Elizabeth to mitigate the sentence of his mother. Whenever he heard of her trial and condemnation, he despatched Sir William Keith, a gentleman of his bedchamber, to London, with a letter to the queen, expressing his astonishment that English nobility and counsellors should presume to pass sentence upon a queen of Scotland, descended from the blood royal of England; but he would be still more astonished, were she to stain her hands with the blood of his mother, equal in rank to herself, and of the same sex. This he could not believe possible; yet, if she did entertain any such intention, he desired her to recollect that neither his honour as a king or a son, would suffer him quietly to allow an independent princess, and his mother, to be put to an ignominious death. No answer being returned to this remonstrance, James instructed his envoy to remonstrate still more strongly on the insult offered to royalty itself, in allowing a sovereign to be treated as a common subject, and to remind Elizabeth, that both nature and a sense of honour would call for revenge, if she inflicted so enormous an injury, and that it would be impossible for him to justify himself to his own subjects, or to the world, if he should patiently endure it; and he further instructed him to procure a delay, till he should send an ambassador with such overtures as might at once satisfy the queen, and save his mother. At the same time, he made

a show of vigorous preparation, as if to carry his threats into execution. Sir William Keith acted up to his instructions, and urged Elizabeth with so much honest sincerity, that she broke into a violent rage, and would instantly have dismissed the Scottish ambassador, had not her courtiers interposed, and at their entreaty she consented to suspend the execution, till the promised ambassadors should arrive from Scotland.

Immediately on learning that they might still arrive in time to prevent the catastrophe, James sent the master of Gray, and Sir Robert Melville, to the English court. They offered that the Scottish king would pledge himself, and give some of his chief nobility as hostages, that no plot or conspiracy, against her crown or person, should hereafter be carried on or countenanced by his mother, or if she were sent to Scotland, effectual measures would be taken to prevent the possibility of such an occurrence. Calling in the earl of Leicester and her chamberlain, Elizabeth sneeringly repeated to them the offers that had been made. When these offers were rejected, the ambassadors proposed that Mary should resign all right and pretension to the English crown to her son, from whom no danger to the protestant interest, or to the realm, could be dreaded; on which, Elizabeth exclaimed with an oath:—"That were to cut mine own throat. He shall never come in that place;" assigning, as a reason, the little confidence she could repose in the loyalty of courtiers, were she to name a successor, any of whom, she said, for a dutchy, or an earldom, would procure some desperate knave to kill her; and with another oath, confirmed the royal estimate of their value. One of the envoys then remarked, that the king would be more unequivocally in his mother's place if she were removed by death. "Well, tell your king," said Elizabeth, sternly, "what I have done for him to keep the crown on his head since he was born. For my part I intend to preserve the league between us, which if he break, his be the blame;" and with these words she was retiring, when Sir Robert Melville following, begged that the execution might be delayed but eight days. "No, not an hour," was her reply. But while Gray in public acted along with the other envoys, in private, he performed a most perfidious part, and encouraged

Elizabeth to carry the sentence into execution, engaging to pacify the king, and prevent any rupture between the two kingdoms. Elizabeth, who was an admirable judge of character, knew the prince with whom she had to deal, and endeavoured to work both on his fear and his cupidity. While she talked in a high tone to James' ambassadors, she employed her ministers to state to him, in confidential letters, all the disadvantages which would arise from any attempt of his to revenge the death of his mother; and by representing her in the worst colours, as a determined enemy to his religion, and wholly alienated from his interest, to show that she was unworthy of being revenged. In the meantime, she herself hesitated, and dissembled. She wished the death of her rival, but she also wished to escape the infamy of the action. In order, therefore, to give the appearance of necessity to what she had resolved upon, numerous rumours were circulated to procure additional solicitations, and prevent the public mind from relapsing into indifference. At one time the Spanish fleet was arrived at Milford haven; at another, the duke of Guise had landed in Sussex with an army; now, the queen of Scotland had escaped out of prison, and was raising troops in the north; then, several plots were laid to kill the queen, and set fire to the city of London. And to give some appearance of credibility to such vague alarms, L'Aubespine, the ambassador, was examined before the council, upon a charge of having hired two assassins to murder the queen. By these means, the passions of the people were inflamed to madness, and a universal cry raised for the blood of the unfortunate Mary, as the only means of allaying the public terror.

Although it cannot be supposed that the affection of James for his mother, whom he never saw, was very ardent, \* yet

\* It does not appear that James ever, during the whole time of his mother's captivity, made one application to Elizabeth in her favour, till a sense of shame forced him upon the present occasion, and it is very problematical whether then he was sincere; for when his mother's danger was mentioned to him by lord Hamilton, at the request of Courcelles, the French ambassador, his unfeeling answer was: "That the queene, his mother, might well drink the ale and beere which herselfe had brewed; and further, that having bound herselfe to the queene of England to doe nothing againste her, she ought to

common decency required that he should show some interest in her fate, and some resentment at the manner in which she was treated. He therefore, as soon as he understood that her execution was determined, recalled his ambassadors, and ordered prayers to be offered up for her in the churches. To prevent any opposition, he prescribed a form to which he thought there should have been little objection:—"That it might please God to illuminate her with the light of his truth, and save her from the danger that threatened her." All ministers were charged, by public proclamation, to use this form, on pain of incurring his majesty's displeasure, and commissioners and superintendents were commanded to suspend from preaching such as refused. With this requisition some of the ministers of Edinburgh, either from an idea that the king was usurping power in the church by prescribing a form, or that praying for Mary implied a belief of her innocence, and a censure of Elizabeth, would not comply. On which, the king appointed a public fast, and ordered solemn prayers to be made for her, at the same time directing the bishop of St. Andrews to officiate in St. Giles' church on the occasion. The ministers, to prevent his officiating, prevailed upon Mr. John Cowper, "a young man not entered as yet in the function," to take possession of the pulpit, and exclude the bishop. When the king arrived he found the service begun, and stopped Mr. Cowper in the middle of his prayer, telling him, that that place was destined for another; but added, since you are there, if you will obey the charge that is given, and remember my mother in your prayers, you may go on. To this the preacher replied:—"He would do as the Spirit of God should direct him." On which he was commanded to leave the pulpit; but hesitating to obey, the captain of the guard went to pull him out, when he reluctantly left his post, exclaiming:—

have kept her promise; notwithstanding, he woulde no waye faile in his dutie and naturall obligatione he ought her." To Sir George Douglas who represented to him how discreditable it would be to him to allow Elizabeth to put his mother to death, the king said that he knew "she bore him no more good will than she did the queene of England, and that, in truth, it was meete for her to meddle with nothing but prayer and serving of God."—Courcelles' Negotiation, quoted by Dr. McCrie, *Life of Melville*, vol. i. pp. 366-7.



This day shall be a witness against the king in the great day of the Lord, and denounced a wo against the inhabitants of Edinburgh. The bishop of St. Andrews then went up and finished the service. For this conduct Cowper was called before the council, and sentenced to be imprisoned in Blackness; and those who at first refused, afterward yielded to pray for Mary.\*

When Elizabeth had sufficiently excited the fears of the vulgar, and received as many solicitations as afforded her a decent excuse for complying with what was her own wish, she

\* In the above statement I have chiefly followed Spotswood, as I do not see any good grounds for rejecting his account. It is clear that Cowper must have pre-occupied the pulpit of St. Giles by the advice, or with the approbation of the ministers of Edinburgh, and it is not improbable that a young man, who could be persuaded to take possession of a pulpit the king had destined for another, might with equal imprudence utter the speech attributed to him. Dr. M'Crie thinks that Spotswood, who must have seen the record of the privy council, "has introduced circumstances not warranted by the record; which if true, it would scarcely have failed to mention." It [the record] says nothing of the king's giving Cowper liberty to proceed if he would pray for his mother, nor of Cowper's reply; nor was Cowper imprisoned for refusing to pray for the queen, but "because his Matie desyrit him to stay efter he had begwyn his prayer in the pulpit, w<sup>in</sup> St. Geil's kirk in Edinburgh, declaring that y<sup>r</sup> was ane vther appoyntit to occupy that rewme. That he vtterit thir words following, thay ar to say, That this day suld bere witnes aganis his Matie in the greit day of the Lord," and denounced a wo against the inhabitants of Edinburgh.—Record of Privy Council, February 3d, 1586. Now the circumstances mentioned by Spotswood, might easily have taken place, yet not be narrated in the books of the privy council. Praying for Mary was a question about which the nation was divided. Contempt of the king's authority, in taking possession of the pulpit, which he knew the king had expressly ordered to be filled by another, and denouncing a threatening against his majesty, in presence of the congregation, when ordered to come down, was conduct, the criminality of which could admit of no dispute. Therefore the higher and more evident charge was preferred against him and inserted, while the dubious one was left out. This transaction occurred previously to the 3d of February; the ministers of St. Andrews complied with the requisition on the 8th, and Courcelles, in a letter written on the 28th of the same month, says, that even those who at first refused, yielded. So that, as Spotswood states, the whole might at first refuse—though they afterward came in—and it is not unlikely the punishment of Cowper might have some influence in settling their scruples.—Vide M'Crie's Life of Melville, vol. i. p. 364, Note, and 365, Note.

ordered Davidson, one of her secretaries, to draw out the warrant, which when she had signed, she gave it him, and jocularly bade him tell Walsingham what she had done, "though I am afraid," she added, "he will die for grief when he hears it." Next day she sent to Davidson, telling him she had altered her mind, and desired him to forbear executing her former orders. When Davidson came and informed her it had already passed the great seal, she blamed his precipitancy, and said she thought a better mode might be adopted, hinting at a more private; but Davidson rejected the proposal, and answered that the just and the openest was always the best and safest course. Still she would willingly have had Mary removed in some other way, and ordered a letter to be written to Paulet, complaining of his remissness in sparing so long the life of her enemy; but Paulet, who knew the danger as well as disgrace which would have been the consequence, refused to comply, and, in his answer to the queen, told her, she might dispose of his life at her pleasure, but he would never consent to an action which would leave an indelible stain on his honour. Elizabeth, vexed at his refusal, called him a dainty and precise fellow, who would promise much, but perform nothing. Davidson, when he parted from the queen, went directly to the council, and acquainted them with the whole transaction. They were of opinion, that the execution should be hastened, each professing that the blame of the business would be equally borne by every member, and a commission signed by all present, was transmitted by Beale to the earls of Shrewsbury and Kent, empowering them, together with the high sheriff of the county, to see the sentence carried into execution.

On Tuesday, 7th February, 1586, the two earls came to Fotheringay castle, and being introduced to Mary, in the presence of her domestics, read their commission, and desired her to prepare for death next morning at eight o'clock. She heard the dreadful annunciation with composure, and replied, "I did not think that queen Elizabeth, my sister, would have consented to my death, but since it is so, death is to me most welcome. That soul is not worthy of the joys of heaven, that cannot look forward to the stroke of the executioner without

dismay." The earls then reminded her of her crime, the fair and honourable trial she had had, and the necessity imposed on Elizabeth of executing the sentence, as it was found she and her could not both exist together; for even since her sentence was known, new conspiracies were attempted, and would be while she was permitted to live. She had now had long warning to prepare, and they hoped she was ready to die; but that no Christian duty might be said to be omitted, that might be for her comfort, and tend to the salvation of her body and soul in the world to come, they offered her, as a spiritual counsellor, the dean of Peterborough. But she refused his assistance, saying, she was prepared to die in the Roman Catholic faith, which her ancestors had professed, and requested that she might be allowed now in her last moments, a priest of her own persuasion to attend her; but this was peremptorily denied, and the earl of Kent told her, that her death would be the life of their religion. She then asked what answer had been returned to the requests she had made to the queen, but the earls had received no instructions. When Babington's conspiracy was mentioned, she solemnly protested that it was entirely unknown to her, and expressed her belief that it was not for the conspiracy, but for her religion, that her life was sought; and when Kent denied that she would have been touched for her religion, had she not conspired against the queen of England, she again protested her innocence, and added, that although she herself forgave those who had persecuted her to death, there was a God who would take vengeance on the guilty, and when she was dead, it would appear how injuriously she had been treated. After the departure of the earls she hastened supper, that she might have time to arrange her affairs. At supper she ate sparingly, as was her custom, and conversed cheerfully with her attendants, remarking to Burgoin her physician, that although they pretended that she must die for conspiring against the queen's life, the earl of Kent had let out the secret; her religion was her real crime. She then called in her servants, and drank to them. They pledged her on their knees, and asked pardon for any omission or neglect of duty, while she requested them to forgive any offence she might unwittingly have committed

towards them. She then distributed her money, clothes, and jewels, among them, according to their rank and merit, and also wrote to the king of France, and the duke of Guise, recommending them to their protection. At her wonted time she retired to bed, slept some hours quietly, and afterward spent the rest of the night in prayer. About day dawn she dressed herself in a rich mourning habit of silk and velvet, such as she generally wore on festivals, and employed the remainder of her time in devotion. At eight o'clock, Andrews, the sheriff, entered her apartment, and informed her the hour was come, and she must attend him to the place of execution. She replied that she was ready, and with a calm and unaltered countenance, followed, leaning upon two of Paulet's guards, on account of a rheumatic affection in her limbs. At the foot of the stairs she was met by the earls of Shrewsbury and Kent, Sir Amias Paulet, Sir Drue Drury, and many other gentlemen of distinction. Here also Sir Andrew Melville, her steward, was waiting to take his last farewell. As soon as she approached he fell on his knees, and weeping, lamented the situation of the queen, and his own unhappy lot in being the messenger destined to carry such melancholy tidings to his native country. "Do not lament for me, my good Melville," replied she to her disconsolate servant, "rather rejoice that thou shalt this day see Mary Stuart delivered from all her cares! And take this message from me, that I die true to my religion, and unshaken in my affection towards Scotland and France. Thou hast been ever faithful to me, though of a different persuasion, yet as there is but one Christ, I charge thee, as thou shalt answer to him, carry these my last words to my son; tell him that I enjoin him to serve God, to protect the catholic church, to rule his kingdom in peace, and to take warning from me, never to put himself in the power of another. Assure him that I have done nothing prejudicial to the crown of Scotland, and it is my wish that he would maintain his amity with the queen of England. Serve him faithfully as thou hast served me. Farewell." Then turning to the noblemen, she requested that her servants might be permitted to attend her at her death. At first Kent objected, lest their weeping and cries should disturb both himself and the specta-

tors, or lest they might indulge in some superstitious practices, which it would be improper for him to allow, and instanced the dipping their handkerchiefs in her blood. "My lord," replied the queen of Scots, "I can promise they shall not incur any blame for such actions as you mention," and repeated her request. Kent still refusing, "I am," cried she indignantly, "cousin to your queen, of the same blood royal, married queen of France, anointed queen of Scotland;" on which, perceiving how invidious their obstinacy would appear, the commissioners consented that she might take a few of her servants along with her, and she chose Melville, her physician, apothecary, and surgeon, and two of her maids.

The scaffold, about twelve feet broad, and two feet high, was erected in the same hall in which she had been tried, opposite the chimney, where a large fire had been kindled. It was covered, as well as a chair, the cushion, and block, with black cloth. Mary entered the hall, and surveyed with solemn composure, all the dreadful apparatus of death, and signing herself with the cross, she sat down on the chair. The room was crowded with spectators, who beheld with mingled emotions of admiration and pity, the fortitude and the fate of the royal, and still lovely sufferer; for, neither her age, infirmities, nor misfortunes, had yet destroyed her former beauty. When silence was procured, Beale read with a loud voice, the warrant for her execution, to which she listened, as if her thoughts had been employed on some more interesting subject. This finished, the dean of Peterborough began a discourse, such as he thought suitable to her present condition, and attempted to administer some consolation, but the topics on which he insisted being harsh, controversial, and ungrateful, she repeatedly requested him to desist, as she could not attend to him. Still he persisted, and pled his orders from her majesty's council, for his ungracious perseverance, till at last, in a peremptory tone, she desired him to be silent, as she had nothing to do with him, and he had nothing to do with her. Some of the noblemen then interfered, and desired him to trouble her no farther. "Yes!" said she, "that will be best, I am decidedly attached to the ancient Catholic religion, in it I was born, I have lived in it, and in it I am

determined to die." The earl of Kent replied, yet would they not cease to pray to God for her, that he would vouchsafe to open her eyes, and enlighten her mind with the knowledge of the truth, that she might die therein. In that, my lord, answered the queen, you may do as you choose, as for me, I will pray by myself. The dean then commenced a prayer, while she apart prayed in the Latin tongue. When the dean had finished, Mary, with an audible voice, and in the English language, commended to God the afflicted state of the church, prayed for the prosperity and happiness of her son, and for queen Elizabeth, that she might live long, and have a peaceful reign. She then added, that she hoped only to be saved through the blood of Christ, at the feet of whose figure represented on the crucifix, she would willingly shed her own; then lifting it up, and kissing it, she said, "As thy arms, O Jesus! were spread abroad on the cross, so with the outstretched arms of thy mercy, receive me, and forgive my sins." The earl of Kent, who was displeased at her using a crucifix in her devotions, reproved her for her attachment to such popish trumpery, and exhorted her to have Christ in her heart and not in her hand. She replied, it was difficult to hold such an object in the hand, without feeling the heart affected. She then, with the assistance of her two women, began to disrobe herself of her upper garments, and the executioner offering to assist, she put him back, saying, she had not been accustomed to be served by such grooms, nor undressed before so great a multitude. Her upper robe being taken off, she herself loosened her doublet, which was laced on the back, and put on a pair of silken sleeves. She then kissed her maids, and bade them farewell. At this last mark of tenderness, they burst into tears, on which she turned to them, and putting her finger to her lips, as a sign of silence, said, I promised you would be silent, pray for me! Then kneeling undauntedly down, she repeated, In thee, O God, I trust, let me not be confounded for ever! and one of her maids having covered her eyes with a handkerchief, she laid her neck on the block, crying aloud, *in mane tuus Domine*—into thy hands, O Lord, I commit my spirit. The executioner at two blows, separated her head from her body, and he held it up, yet

streaming with blood, while the dean of Peterborough exclaimed, So perish all queen Elizabeth's enemies. The earl of Kent pronounced a solitary amen. The rest of the spectators remained silent, their attention fixed on the melancholy scene before them, every harsher feeling being hushed by sympathy for the misfortunes of a woman, and a queen, whose tresses, prematurely gray, bore witness to the weight and intensity of her afflictions. Mary was forty-four years, and two months old, when she ended on the scaffold, a life chequered beyond the common lot of humanity, and nearly nineteen years of which had been passed in captivity. Possessed of exquisite personal beauty, she was also endowed with admirable natural talents. To the most fascinating manners, she added every elegant accomplishment of her sex. Affable and polite in her demeanour, gay and sprightly in her disposition, she possessed, or could counterfeit, all the softer graces, which render a lovely woman irresistibly captivating. But here panegyric must stop; her passions were violent, and under no restraint, she was impatient of contradiction, capable of the most profound dissimulation, and the most terrible revenge.

Mary's misfortunes, and the unjust treatment she received from Elizabeth, her protracted imprisonment, and melancholy death, have contributed to throw into shade, the causes which led to her sufferings; for, while we view with pity the pressure of her calamity, we are apt to forget the extent of her crimes. Yet, historical truth requires that they be not altogether passed in silence. During the short time she allowed Moray to direct her councils, no king in Scotland ever had more cheerful obedience, and if her own intolerant spirit, and ardent attachment to the Romish church, and her repeated breach of promise, had not alienated the minds of her protestant subjects, and raised their suspicions, she would have been allowed the quiet exercise of her own religion, nor would any of the ministers have dared to insult her. Her first attachment to Darnley, was as indelicate and imprudent, as her subsequent hatred was implacable and deadly. Her connexion and marriage with Bothwell, can be defended upon no principles, which do not at the same time obliterate every distinction between innocence and guilt. Her unhappy edu-

cation, as a queen from her birth, in a lascivious and tyrannical court, which early corrupted her morals, and perverted her judgment, which intent on producing a graceful and princely exterior, neglected to cultivate the better affections of the heart, can unfortunately account for the rash and obstinate perversity with which she rushed upon her ruin, even allowing that she possessed the materials, which, under other tuition, might have formed a model of almost spotless perfection.

When Elizabeth was informed of Mary's execution, she affected the utmost astonishment, rage, and sorrow, she put herself in deep mourning, was frequently in tears, refused her ministers all access to her presence, and secluded herself with her maidens, to bewail the deplorable misfortune, which, contrary to her wishes, and fixed purpose, had befallen her kinswoman. She had now accomplished one great object of her wishes, and had got rid of a rival, whom, during all her reign, she feared and hated. Her next drift was to persuade the world, that this consummation was without her knowledge, and in opposition to her will. For this purpose, with a hypocrisy more glaring than any she had yet practised, she rolled over the whole blame upon Davidson, her secretary, an honest, upright servant, whom she had employed as her instrument, and who had not been sufficiently initiated in her artifices to avoid the snare.\* He was immediately deprived of his office, thrown into prison, and soon after, tried in the star chamber. The secretary, confounded at the charge, and knowing the danger of contending with the queen, acknowledged himself guilty of an error, which he said he could not attempt to vindicate, without failing in the respect and duty he owed her majesty; but he protested it was by the advice of the whole council, that the warrant was put in execution, as they were afraid lest the queen or the state might incur any damage by delay. Yet he would not contest, he left the whole with the queen, to whose conscience, and the verdict of the judges, he entirely submitted himself. On this confession,

\* He had been only made secretary a few days before the trial of queen Mary, probably with the intention of taking advantage of his unsuspecting integrity.



after enduring the reproaches of the very counsellors, who, if there was any guilt, were more deeply involved than himself, he was condemned to be fined in ten thousand pounds, and imprisoned during the queen's pleasure. He suffered a long confinement, was beggared by the fine, and all the favour he ever received, was an occasional pittance to save him from starvation. Such is the gratitude of courts.

Filial affection is an instinctive passion, in some degree felt by every human being, and one of the mysterious ties in our nature, that link us to our kind. By it we are interested in the fate of those to whom we have owed our birth, although we may never have seen them, or never knew any of the endearments of a mother's love, or the kindness of a father's protection. In James this was neither vigorous nor strong, and Elizabeth knew well, that whatever feeling the death of his mother might produce, it might be acute, but it would be only momentary; \* she therefore despatched Mr. Robert Carey, a son of lord Hunsdon, with a letter, in her own handwriting, calculated to meet its first ebullition. It was of this purport. My dear brother, I would you knew, though not that you felt, the extreme anguish that overwhelms my mind, on account of that miserable accident which has happened, far contrary to my inclination. I have therefore sent my kinsman, whom you have been formerly graciously pleased to

\* Alexander Stuart, sent in company with the ambassadors "with more secret charge," had said to Elizabeth, "were she even deade, yf the king at first shewed himselfe not contented therewith, they might easily satisfy him in sending him doges and deare." On being informed of this, the king was in marvelous collore, and sware and protested before God, that yf Stuart came, he would hange him before he putt off his bootes, and yf the queene medled with his mother's life, she should knowe he would follow somewhat else than doges and deare. (February 10th.) Courcelles expresses his fears, that if Mary's execution should happen, James would "digest it as patiently as he hath done that which passed between the queene of England, and Alexander Stuart, whose excuse he hath well allowed, and vseth the man as well as before." (February 28th.) Courcelles' Negotiation, quoted by Dr. M'Crie. And neither Courcelles, nor Stuart were much mistaken in their remarks, as the following anecdote, preserved by Wodrow, fully evinces. A little after the king had got on his mournings for his mother, one day when Mr. Melville came in to wait upon his majesty, he was laughing heartily, frisking and

favour, that he may instruct you truly of that, which my pen refuses to write. I beseech you, that as God and many others, know my innocence in this case, so you will believe, that if I had commanded it, I should not have disavowed it. I am not so base minded, as that the fear of any living creature should make me afraid to do what is just, nor so degenerate or vile, as to deny it when done. Openness best becomes a king, and I shall never stoop to dissemble. This assure yourself of from me, that as I know it was deserved, I would never have laid the blame on another, but neither will I impute to myself, that which I did not so much as think of. You will learn the particulars from the bearer, and believe me, you have not in the world a more loving kinswoman, and more dear friend, nor any that will watch more carefully to preserve you and your state, and if any would persuade you to the contrary, consider them as more attached to others than to you. Thus in haste I have troubled you, beseeching God to send you a long and happy reign.

James refused either to see the messenger, or receive the letter, and his resentment seemed for the time both lively and sincere. The estates of Scotland, who were then sitting, participated in these feelings, and urged him to revenge, professing their readiness both to expend their lives and estates in the quarrel, and lord Sinclair, when the courtiers appeared

dancing about the room with no little levity, as was not unusual with him while in his younger years. Mr. Melville observed him a little, and the following lines struck him in the head extempore, from his bright poetical fancy, and smiling, he turned to a nobleman, and repeated them. The nobleman was mightily pleased, and burst out into laughter. The king soon came up, and asked the reason. The nobleman waved it, saying it was a merry tale of Mr. Andrew. The king would know it. Mr. Melville said it might be offensive to his majesty. The king said he would not be offended, and so Mr. Andrew repeated them. Be these circumstances as they will, the lines contained much wit and salt—they were

*Quid sibi vult, tantus lugubri sub veste cachinnus,  
Scilicet hic matrem deflet, ut illa patrem.*

*Why the loud laugh ? beneath the vesture sad,  
He mourns his mother, as she did his dad.*

in mourning, presented himself in armour, as the proper mourning for the queen. Carey, on not being admitted into the king's presence, consulted with his court, and received instructions to deliver his letter to some of the council, with a memorial to be laid before James, expressing the queen's determination never to have put his mother to death, notwithstanding the solicitations of her nobility, and the cries of her people, and informing him that she had delivered the warrant to her secretary, Davidson, to be kept secret, and not to be produced, except in case of actual invasion by an enemy, or any insurrection by rebels to procure her liberty. But the secretary having shown it to the council, they, without her consent, sent a mandate for the execution, which she protested to God, was done before she knew it, for which the secretary should not escape her high displeasure, and this the envoy heard her express with such a heavy heart, and sorrowful countenance, that had his majesty been present, he would have rather been inclined to pity her grief, than blame her for a fact to which she never gave consent. James, however, would not immediately listen to these excuses, and Elizabeth, uncertain what effects violent counsels might produce on his facile disposition, employed those who were best affected towards England among his ministers, to sooth his mind, and prevent any sudden or rash sally.

Walsingham wrote to lord Thirlstane, the secretary, who then stood high in James' favour, a long letter, in which he employed every argument that could operate upon the hopes or fears of the young monarch, \* to induce him to lay aside all hostile intentions, and continue to cultivate the amity of Elizabeth. He was absent, he said, from court, when the execution of the king's mother happened, but on his return, he had communicated to Douglas what some of the king's best friends considered the course he ought to pursue in consequence of this remediless accident, in order to pre-

\* "The king of Scots will not declare himself openly against her, (Elizabeth) though his mother be put to death, vnlesse the queen and the statts would deprive him of his right to that crowne, which himself hath vttered to earl Bothwill, and chevaliere Seaton." Courcelles' Negotiation, quoted as before.

serve friendship between the two crowns, so necessary for the welfare of both. But as he would not interfere, he therefore stated to him, the reasons which should prevent any interruption of the harmony subsisting between the two nations. The ground of the quarrel would be revenge, and that on account of an act of justice founded on necessity, a cause of war, which no good man would support, and on which no blessing could be expected. But setting this aside, motives of policy forbade a rupture, the king could not hope, inferior as he was in force, to attack England with any prospect of success, without foreign assistance, and the examples, both of ancient and modern times, with which a prince of his knowledge must be familiar, should teach him how precarious and dangerous it is to depend upon such aid. The only two-powers to which he could apply, were France or Spain, and his religion rendered him obnoxious to both, neither of whom would wish to see his power increased by the union of the crowns, an event which must be prejudicial to the Catholic cause; and such an union was not only repugnant to the general policy of France, because, in case of war, this would prevent her from distracting the forces of England as formerly, by involving Scotland in her quarrels, but particularly so to the present king, who would not wish to see a near relation of the house of Guise aggrandized, lest he should lend them assistance to usurp his throne, which they had but lately attempted. Spain was a more likely, but more dangerous ally, whose monarch aimed at the whole empire of the west of Europe, and he pretended to have a claim superior to the Scottish king upon the crown of England, as descended from Lancaster, being the nearest Catholic heir by blood, and possessed by gift of the rights of his mother. Nor would the king's changing his religion procure him any advantage. Catholic princes would never aid him, merely because he was a Catholic, and the Protestants of England would hate him for his apostasy, while the Catholics would never believe in his repentance. By reviving his mother's pretensions, he would forfeit the certain prospects of his succession, and by resenting her death too violently, he would force all the noblemen in England who had assented to it, to oppose his

ever obtaining that crown, and however some persons might endeavour to persuade him that his honour required him to seek vengeance, yet the true honour of a prince consists in moderation. Having used every endeavour to save her life, so long as there was any hope, he had performed his duty, and there remained now only, that he should rather consult the dignity of a prince, than prosecute any private revenge. These, and similar considerations, induced James, who was sensible of his own weakness, and who delighted more in the polemical arena, than in the tented field, to lay aside all thoughts of revenge, and return by degrees, to his usual correspondence with the court of England, and although a number of his courtiers were known to have tampered with the English ministers during the trial of the queen, and after the sentence to have hastened the execution, the master of Gray was the only person who was punished, perhaps, however, more through court intrigue and his own insolence, than from any regard the king paid to the memory of his mother. \*

Sir William Stewart had about this time returned to court, and attached himself to the master of Gray, who was then engaged in a plot with lord Maxwell, for the destruction of lord Thirlstane, Sir James Home of Cowdenknowes, and Mr. Robert Douglas, the collector. Gray, believing that Sir William would readily assist him in removing those who were the determined enemies of his brother, particularly lord Thirlstane, as having been one of the chief instruments in bringing back the lords to Stirling, revealed to him the design. Sir William pretended to agree to the proposal, but aware of the treacherous disposition of Gray, and of the little confidence that could be reposed in him, went directly and informed the king. Lord Thirlstane having also received similar information, complained to the council, and desired that it should be investigated; on which, both Stewart and Gray were examined, when Stewart adhered to what he had said to the king, and Gray as strenuously denied having ever held any such conversation with him, and the dispute becoming warm,

\* When Gray was banished, the queen's death was not mentioned, "lest he should have accused others." Courcelles' Negotiation, quoted by McCrie, Life of Melville, vol. i. p. 367. Note.

Stewart asserted that Gray was unworthy of any credit; for, having been sent to London on an embassy to endeavour to save the life of the king's mother, he had treacherously consented to her death. A report of Gray having written a letter to the queen of England, advising her to put the queen of Scots to death, and of his having used as an argument, the adage, *Mortui non mordent*, the dead do not bite, had been very generally current, though, on account of the favour in which he stood with the king, no one had ventured to accuse him; but now when he was challenged to his face with his conduct, the council, who viewed him with the common kindness that courtiers bear to favourites, seized the occasion, and requested the king to bring him to trial; and the king, whose affection had begun to grow cool, consenting, the accused and the accuser were both committed to Edinburgh castle. Three days after, they were again brought before the council, when Stewart repeated his former charges, and, in addition, stated that Gray had engaged in a correspondence inimical to religion, both with the king of France and the duke of Guise, informing them that the king intended to ask their assistance to revenge the death of his mother, but desiring them not to grant it unless he came under an obligation to extend liberty to the Catholics for the exercise of their religion. Gray, perceiving that he had lost the favour of his master, on being desired to make an ingenuous confession, if he expected mercy, acknowledged that he had endeavoured to procure toleration for the Catholics; that he disliked some of the officers of state, and did wish an alteration, but that he had ever entertained the highest regard for his majesty's person, and hoped his errors would be imputed to his youth, and a foolish ambition. Being interrogated respecting his letter to the queen of England, he owned that when he perceived her resolved to take away the queen of Scots' life, he advised her rather to do it in a private way, than publicly, under form of justice. He likewise acknowledged that he had used the words, *Mortui non mordent*, but not in the sense alleged against him. He was found guilty on his own confession, and sentenced to perpetual banishment from Scotland, under pain

of death in case of returning, and prohibited from going either to England or Ireland.

Captain James, who ever since his disgrace had skulked privately among his friends, supposing this a favourable opportunity for obtaining revenge on the rest of his enemies, ventured from his lurking place, and in a letter to the king, offered to prove that lord Thirlstane, and some of the other counsellors, were equally accessory to his mother's death with Gray, and had even formed a design of delivering the king himself into the hands of the English. But time had extinguished the king's favour for one who so little deserved it, and his ministers now were both more able and complaisant, than those who, after the Raid of Ruthven, gave way to his superior influence. The king, on receiving the information, laid it before his council, and an order was sent to Captain James to enter ward within the palace of Linlithgow, and remain there till the truth of his accusation should be examined, under pain of being forfeited as a sower of discord between his majesty and his nobility. Failing to comply with this mandate, the office of chancellor, of which he had still retained the title, was declared vacant, and bestowed upon lord Thirlstane, who had for a considerable time performed its duties.

The king had now completed his twenty-first year, and he issued a proclamation, summoning a parliament to meet on the 29th of July; previously to which, he attempted the truly royal design of completely reconciling all his nobles, especially such as had cherished inveterate feuds, or were known to be open enemies at the time. He invited them all to Edinburgh, and prevailed upon the whole to profess a mutual oblivion of injuries, except lord Yester, who refused to accommodate his difference with lord Traquair, till a few months' confinement in the castle brought him to a better temper. The highly delighted monarch entertained the rest magnificently in the palace of Holyroodhouse, and thence they walked to the Cross in procession, hand in hand, where, in presence of the people, they pledged each other, and drank, amid the rejoicing of the spectators, to the continuation of the harmony now so happily effected.

Before the meeting of parliament, the general assembly con-

vened at Edinburgh, to consider some propositions from the king, respecting the ministers who had used insulting language towards him, and about receiving Montgomery again into communion. In answer, they replied, that if there was any prospect of the king's acceding to their requests for the security of the protestant religion, and restoring to the church the same liberty enjoyed before the year 1584, they would endeavour on these points to satisfy his majesty. Commissioners were at the same time appointed to attend parliament, and watch over the interests of the church, among whom was the venerable Erskine of Dun, now in extreme old age, and almost the last of the original promoters of the reformation.

When parliament sat down, their attention was first directed to the rights of the lords spiritual, to meet along with them. The commissioners of the church who attended, petitioned for the removal of the prelates, as they possessed no authority from the church, and the majority of them had neither function nor charge in it. Bruce, the abbot of Kinloss, defended their right as the first estate in the realm, a right which the churchmen had ever enjoyed, and complained against the ministers, for, after having first deprived them of their ecclesiastical dignities, now wishing to exclude them from their places in the state. Pont, who, though a bishop,\* was one of the commissioners, replying in rather keen language, the king put an end to the debate, and desired the petition to be presented in a regular manner to the lords of the articles. This, which was a specious way of getting rid of a troublesome discussion, being adopted, the petition was refused. But as a *douceur* to

\* Pont was presented by the king to the bishopric of Caithness without solicitation, but before accepting it, he consulted the general assembly, whether they thought he might do so with a good conscience and without slander, as he meant to officiate at one church, and submit to all the regulations of the assembly. They thought, in consideration of his severe losses, that he might accept the temporalities, and as he was a bishop indeed, according to the character described by St. Paul, they did not object to the name. But in a letter to the king, to prevent misconception, they added: "As to that corrupt estate or office of those who have been deemed bishops heretofore, we find it not agreeable to the word of God, and it hath been damned in divers others of our assemblies, neither is the said Mr. Robert willing to accept of it in that manner."—Calderwood, pp. 215-6.



soften their disappointment, they obtained the ratification of all the laws passed in favour of the protestant religion during the minority of the king, the enactment of a new and severe statute against seminary priests and Jesuits, the most able, active, and insidious enemies of the reformation, and an act annexing the unappropriated church lands to the crown. This last, so important in its consequences, was recommended to the presbyterians, as the most effectual preservative against episcopacy, by this most irrefragable consideration: "If you take away," said its proposers, "the rich benefices, you will not be troubled with indolent bishops."\* The king, who did not immediately perceive the tendency, was induced to give his consent to what he afterward pronounced a vile and pernicious act,† by the necessities into which his profusion to his favourites was constantly plunging him.

The revenues of the crown had become nearly inadequate to meet the ordinary expenditure, as the administration of the government, owing to the extending connexion of Scotland with other nations, was now more heavy, and the increase of luxury rendered the court more extravagant, while the depreciation of the currency, since the discovery of India and America, the limited bounds of the royal domains, and the waste of so many minorities, rendered the monarch more indigent. To meet the public exigency some new fund was necessary, but the nobles had not been accustomed to endure taxation, and there was little or no commerce to tax. The property of the church, which was still considerable, was therefore the only source from which any supply could be drawn; and as the presbyterian ministers performed the duty, it seemed no great injustice to withdraw the emoluments from the bishops, who did nothing. The nobles were urgent for the bill, because it secured to them the legal possession of all the grants of church lands they had obtained from regents, or from the king in his minority—which he now might have revoked—and which they held by a precarious tenure, having previously no proper parliamentary sanction, and the ministers—whose aims were not high—were secured in a moderate

\* Spotswood, p. 365. Calderwood, p. 218. Parl. 11. Jac. VI. c. 28.

† Basilicon Doron. lib. 2.

living from the tithes, which then, with the majority of the Scottish clergy, was the utmost of their temporal ambition.

Another act, passed this session, produced a considerable change in the Scottish parliament, by introducing representatives for the counties among the commons, and although its effects were not immediately perceived, it eventually counteracted the beneficial tendency of the others. This may seem strange and paradoxical, but a very short view of the constitution of the Scottish parliament will unriddle the apparent contradiction, and show that a measure essentially despotic, may be promoted by means apparently favourable to freedom.\* The three estates, as their name implied, consisted of the lords temporal—the great and small barons—the lords spiritual, bishops, abbots, and priors; and the commons, consisting at first of a few commissioners of boroughs, who all met together in one chamber, where the lord chancellor presided. The numbers naturally varied considerably at different times, from deaths, minorities, and forfeitures, among the nobility; from vacancies among the ecclesiastics; and from a general disinclination in the boroughs to be at the cost of sending a representative, as they had to pay his expenses during the time he served.

In 1488, the whole of the titled Scottish nobility amounted to about forty. The dukes were confined to the royal family, the others were earls and lords; the lesser barons were lards, or lairds, generally designated from their estates; they held immediately of the crown, but their properties were comparatively small. As peers of parliament, however, they were upon an equal footing with the titled nobles, and considerably exceeded them in number. The roll of parliament, 1472, gives the following, as the proportion in which that assembly was formed:—One duke, four bishops, six abbots,

\* It was not till after the revolution, when the lords of the articles were declared a grievance, by Conv. Est. 1689, and actually suppressed, 1690, that freedom of discussion was known in the Scottish parliament. Of course, the king's influence depended upon the number of votes he could command. There appears, likewise, to have been a discretionary power sometimes used by the king, in only calling such as he knew were friendly to the measures he intended to propose.

four priors, eight earls, fourteen lords, thirty-four lesser barons, the commissaries of the burghs, eleven;\* and here it will be observed, the number of the lesser barons was nearly equal to both the clergy and the peers, and this proportion continued down to the time of the reformation, when a most important change took place in the constitution, by the exclusion of the ecclesiastics, or their reduction to comparative insignificance in the high council of the land. The nobles were hereditary; the clergy, *ex officio*, members; their rights were always definite, and known; those of the burgesses are more dubious; they are noticed first in the parliament of Bruce, 1326;† but it does not appear whether they were summoned as a constituent part of the parliament, or simply for a particular purpose in the then exigencies of the country, to authorize, or rather regulate the mode of taxation about to be imposed on the boroughs. In that of David II. held at Scone, 20th July, 1366, are enumerated certain burgesses, summoned from each burgh, “for especial reasons.” In another council, held at the same place, 27th September, 1367, thirteen delegates are mentioned from the burghs of Edinburgh, Aberdeen, Perth, Montrose, Haddington, and Linlithgow. The object was to levy a tax. At the parliament in the same place, 12th June, 1368, “appeared the prelates, lords, and burgesses.” Here no specific object was mentioned, and the business of the parliament appears to have been general. From this period the burgesses seem to have met, and voted along with the other members of parliament. It may, however, be proper to remark, that almost all the members of parliament considered it as a grievous burden to be constrained to attend, except those who were immediately connected with government, or had some particular purpose to serve. The smaller or lesser barons were extremely averse, and penalties were considered necessary to compel them to do their duty. James I., who wished to form his parliament on the English model, taking advantage of this disposition, procured an act, exempting the minor barons from personal attendance, and empowering them to choose two commissioners

\* Kaines' Essay on British Antiq. p. 125.

† Abercromby, p. 635.

for each county to represent them; but this act was never carried into effect by that monarch, and the kings retained the power of enforcing the personal attendance of all the minor barons, as vassals of the crown.

A love of ease often forms the failing of some of the noblest minds, and the arguments by which they can defend the superiority of their choice are so plausible, that they were ill to refute, did not the whole practical knowledge of life refute them. The active politician, though of inferior talents, succeeds in getting into place and power, while the far superior endowments of a better competitor are buried in the shade, merely because he declines the contest, from motives it were difficult, even for the most ingenious, to support, did he stop to analyze them. This principle, however, which in more ignoble cases receives its proper name of indolence, operates with stronger power among half cultivated men, who are glad to get rid of what costs a continuity of thought or of exertion. It produced, among the Scottish chieftains of early ages, those anomalies in the constitution of Scotland, which rendered, in these times, the Scottish parliament the most passive thing upon earth, while the Scottish nobles were the most untractable and ungovernable of human beings. They could not be troubled with public business, and with pleasure allowed the fatigue to be taken out of their hands by committees. The first of these was chosen in the parliament held at Perth, 6th March, 1368, when the scarcity of the season was assigned as the reason for committing the whole business into the cognizance of a select number, while the rest were allowed to go home. This committee consisted of sixteen barons, sixteen clergy, and eight burgesses; but in the last general council of David II., the committees assumed a rather different form, and appear as the first undoubted institution of the LORDS OF THE ARTICLES, afterward to present so prominent a part in the parliament of Scotland. At this meeting some were elected, by the general and unanimous consent of the three communities assembled, to treat and deliberate on certain "special" and "secret" affairs of the king and kingdom, before they came to the knowledge of the said general council. This committee consisted of six for the clergy, fourteen for the

barons, and seven burgesses, which plainly shows, that it had first originated with the members of parliament, and was more likely to have proved an instrument of oligarchical, than of kingly tyranny; but the impatience of civil drudgery, which the warlike nobles possessed, threw the advantage into the hands of the king, who was surrounded always with the high dignitaries of the church—men clear sighted to perceive, and ambitious enough to seize every avenue that led to influence. In consequence, from being a committee of parliament, it became completely a king's committee, and was latterly as much under his control, as his own privy council. \* The lords of the articles had the sole arrangement of whatever business was to come before parliament, to receive, or to reject petitions, recommendations, &c. and to shape, previously to their meeting, all their acts. After the institution of this body, the Scottish parliament became merely a court for registering edicts, in which any opposition to the royal will, would probably have been held as treasonable as any opposition in the field.† The Scottish king had no negative voice in parliament. Whatever acts were presented to him, as passed by the estates, he was bound to ratify; but this was merely nugatory, as no acts were presented to him which had not previously received his sanction; or if any such had been, they were silently removed before they received the confirming touch of the sceptre. This James VI. in his speech to the commons at Whitehall, distinctly states. He remarks: "It has likewise been objected, that in the parliament of Scotland, the king has not a negative voice, but must pass the laws agreed on by the lords and commons. I can assure you, that

\* They were elected at this time in equal numbers from each estate; eight from the nobles, eight from the clergy, and eight from the representatives of boroughs; to which were added, eight of the principal officers of the crown.

† "For here I must note unto you, the difference of the two parliaments in these two kingdoms, for there [in Scotland] they must not speake without the chauncellor's leave, and if any man doe propound or vtter any seditious or vncomely speeches, he is straght interrupted, and silenced by the chauncellor's authority."—King James' Works, p. 521, 528. Such was the liberty of speech in the days of James VI. It did not improve under any of the succeeding Stuarts.

the form of parliament there, is nothing inclined to popularity. About twenty days before parliament, proclamation is made to deliver to the king's clerk-register, all bills to be exhibited that session. They are then brought to the king to be perused, and considered of by him, and only such as I allow of are put into the chauncellor's hands, to be proposed to parliament. Besides, when they have passed them for laws, they are presented to me, and I, with my sceptre put into my hands by my chauncellor, must say, I ratify and approve all things in this parliament, and if there be any thing I dislike, they raze it out before."

Such being the constitution of a Scottish parliament, it might seem of little consequence, how the minor arrangements, the collecting of its subordinate constituent parts, was conducted. But the reformation had greatly strengthened the power of the aristocracy, by destroying that of the clergy, and by the erection of many priories and abbeys into temporal lordships, and in the same proportion had the influence of the crown been weakened. The king, therefore, in order to counterbalance this, procured an act, similar to that of James I. to be passed; by which, representatives were chosen for the counties, and ever after continued to form a part of the Scottish parliament. By this means the king regained his full influence, it being always, or for the most part, in his power to direct the election of the representatives of the shires.

Europe had for some years resounded with the warlike preparations of Spain, the object of which was unknown, but the magnitude of the scale on which they were conducted, evinced its importance. Philip, by the conquest of Portugal, acquired the command of the commerce and wealth of India, as he had already possession of the treasures of America, and both were expended on this vast armament. A fleet, the greatest known in modern times, was collected at Lisbon, which had been appointed the rendezvous, and a numerous army, composed of veterans, esteemed the best soldiers in Europe, was assembled ready to embark. Elizabeth, who knew the enmity of Philip, and the provocation she had given him, by aiding his heretical subjects in the Netherlands, by allowing her ships to insult the coasts of Spain, and threaten his dominions in the

New World, was neither inattentive to her danger, nor to the means of defence. Aware of the importance of having Scotland secured, she instructed her ambassador, Ashby, to warn James of the impending danger which threatened his own crown equally with hers. The bigoted disposition of Philip, left no room to doubt, but that when he subdued England, he would not allow Scotland, so obnoxious to the court of Rome, to remain long unmolested, and she used besides, other arguments, which she supposed might have equal weight—she promised him a datchy in England, with suitable estates attached to it, besides a pension of five thousand pounds per annum, and to maintain for him a body guard. The king of Spain, who was equally anxious to gain James, was not less liberal in his promises; he flattered him with the hope of sharing in his conquest, and offered him his daughter, the infanta Isabella, in marriage. But it required little penetration to perceive that the safety of Scotland was closely joined to that of England, and that Philip was not a monarch who would conquer kingdoms to give them away, James, therefore, pursued the line of conduct which his own interest imperiously demanded, rejected the offers of Philip, and adhered to his alliance with the queen of England.

Philip, in addition to his negotiation with the king, had sent over numerous emissaries, priests and Jesuits, to tamper with his nobles, and seduce his subjects from their adherence to the Protestant faith, and their loyalty to their prince. James Gordon, a Jesuit, uncle to the earl of Huntly, and Edmond Hay, of the same order, a man of great ability, and insinuating manners, had been particularly active, so much so, as to draw upon them the attention of the court, and a proclamation was issued for their apprehension, together with a long list of others who had attracted the attention of the ministers; but through the interest of their friends, particularly Huntly, who was on the eve of his marriage with Lennox's daughter, upon their representations to the king, and their promise to leave the country as soon as they could find a convenient opportunity, they were permitted to remain and disseminate their doctrines till the beginning of the year, James contenting himself, during the winter, with writing a commentary on

the Apocalypse, and proving the pope to be antichrist, by which, probably, he expected to effect their conversion, an issue more desirable to him as an author, than their banishment. The ministers, although equally zealous with his majesty, in endeavouring to counteract by argument, the efforts of the enemy, who were preparing a party to join the invaders, if they should effect a landing, deemed it expedient to resort to some more efficacious and prompt measures. An extraordinary meeting of the general assembly was called, to take into consideration, the dangers hanging over the church and commonwealth, through the machinations of the Jesuits. The meeting was unusually crowded, and all were equally impressed with the alarming state of public affairs. In order that their deliberations might be conducted without confusion, and that the several opinions and advice of the members might be more easily collected, the ministers, nobles, and lesser barons and commissioners, met each apart. The result of their separate conferences were next day delivered to the assembly, when it was proposed to proceed in a body to the king, to require that the laws against Jesuits, seminary priests, and their accomplices, should be put in execution, and offering their lives, lands, and fortunes, to be employed in the service of their country. The king, when informed of their intention, considering this as a reproof of his own carelessness, got petted and angry, and asked if they meant to threaten him with their power, and dictate to him? and refused to receive the assembly, but sent for a few, to whom he expressed his dislike at the manner of their proceedings, which he did not think sufficiently respectful. Yet, as the subject was important, and as it was necessary to take immediate steps, he desired them to tell the assembly, that he would appoint some members of his privy council to meet with any deputation they would appoint, and concert measures for the common safety.\* The joint committee proceeded cordially, and notwithstanding the king wished to temporize with Huntly, Errol, and Crawford, who were at the head of a faction that openly espoused the cause of Spain, the grand objects were in some measure at-

\* Spotswood, pp. 305-6.



tained, by shaming him into more active measures, and originating a bond \* among themselves, under his sanction, for the mutual defence of king, church, and state, which was recommended by the ministers, and eagerly entered into by persons of every rank. In this solemn obligation, they consider the Reformed religion, and the king's estate, to have the same friends and enemies, and both to be equally threatened by foreign preparations, for prosecuting that detestable conspiracy, named the holy league, and by the emissaries of the foreign powers, and their accomplices within the realm, and they engage before God, to defend and maintain both, against every attempt, foreign or domestic, particularly the threatened invasion; and bind and oblige themselves, to assemble with their friends in arms, at such time and place, as his majesty should appoint, and hazard their lives, lands, and goods, in defence of the true religion, and his majesty's person; and also engage upon their truth and honour, that they would do their utmost to discover Jesuits and vassals of Rome, that every private interest should yield to the public welfare, and that every private quarrel or feud, should be submitted to the arbitration of persons to be appointed by his majesty.†

Immediately after the assembly rose, James took active measures to disperse an insurrection which happened in the south. Lord Maxwell, who had received liberty to go abroad, had resided some months in Spain, where, having seen the preparations for invading England, he returned home, and landed at Kirkcudbright, about the end of April, as it was then expected that the Spanish fleet would steer for the west of Scotland, where they might land more safely, and with the assistance of the disaffected in that quarter, enter England by

\* Dr. Robertson, *Hist. of Scot.* Book vii. confounds this Bond with the National Covenant, which was entered into, 1580, vide p. 38. This was especially a bond against the Spanish invasion, which, however, the Dr. very properly characterizes, "as a prudent and laudable device for the defence and liberties of the nation. Nor were the terms other than might have been expected from men, alarmed with the impending danger of popery, and threatened with an invasion by one of the most bigoted, and most powerful princes in Europe."

† Calderwood, pp. 323-5.

the borders. A number of the unruly and necessitous borderers flocked to him on his landing, and his partisans were increasing so rapidly, that lord Herries, the warden, finding himself unable to put them down, gave information to the king, who immediately charged Maxwell to appear before the council. Maxwell, instead of obeying the summons, began to fortify the castles of which he had possession, which so provoked the king, that, collecting what troops he could, upon the spur of the moment, he set out for Dumfries, with such unexpected despatch, that he had nearly surprised Maxwell in that town, but some short resistance having been made, he had time to escape. Next day, the castles of Lochmaben, Langholm, Treve, and Carlaverock, were summoned, and all of them surrendered except Lochmaben, the governor of which, trusting to the king's want of artillery, refused, but the king having borrowed a few pieces from the English warden, after a shot or two had been fired, the garrison surrendered to Sir William Stuart, brother to captain James, upon condition that their lives should be spared. The captain, having refused to surrender when summoned by the king in person, was hanged, the rest were dismissed. Next day, the king despatched Stuart after lord Maxwell, who was endeavouring to escape by sea, and he having overtaken him, brought him prisoner to Edinburgh, to the king. Soon after, Stuart was killed in a casual rencounter, by the earl of Bothwell, in the High-Street of Edinburgh.

Scarcely had the king returned to his capital, when intelligence arrived of the sailing of the Spanish Armada, on which he immediately summoned a meeting of the estates, and, in an opening speech, pointed out to them the close union that existed between the interest of Scotland and England, and that an invasion of England, as it was an invasion of his right, would be but a prelude to the invasion of Scotland; the pretext for invading England was religion, but in this view, both kingdoms were the same. "For myself," continued the king, "I have ever thought mine own safety, and the safety of religion, to be so conjoined, as that they cannot well be separated, neither desire I to live, or to reign longer, than while I am able to maintain the same. I know that the opinion of

some is, I have now a fair opportunity for revenging the wrong and unkindness done me, by the death of my mother, but, whatever I think of the excuses which the queen has made me, 'I will not be so foolish, as to take the help of one stronger than myself, nor will I seek to gratify my own passions at the expense of religion, and the risk of putting in hazard, not only this kingdom, but those that belong to me after her decease.' Maitland, the chancellor, seconded the sentiments of the king, and suggested the most proper plan of defence to be adopted. As Elizabeth had not required any assistance, he recommended that their principal attention should be directed to secure their own country from invasion; that a general enrolment should be made, of the whole population fit to bear arms, and noblemen appointed in every district, to take the command, watches to be appointed at all the seaports, and beacons erected upon the most conspicuous eminences, to alarm the country on the appearance of any fleet, and that the king and council should remain at Edinburgh, to direct and superintend the whole. The estates unanimously approved of the measures proposed, with the exception of Bothwell, who wished to take advantage of the present circumstances, for attacking England, but the king desired him to attend to his own duty as admiral, and look to the ships.

While the country exhibited a general appearance of vigorous exertion, all the Protestant population, as if animated with one soul, actively seconding the measures of government, James wrote a letter to Elizabeth, offering to aid her with the whole of his forces. The queen of England, who was highly gratified with these demonstrations of cordial co-operation, despatched Sir Robert Sidney, to thank the Scottish king, and to offer in return, her assistance, if the Spaniards should land in Scotland. In conversation with this ambassador, on the probable subjection of Scotland, in case England were overcome, James told him the only favour he expected from the Spanish king, was similar to that promised by Polyphemus to Ulysses, to be devoured last.

At this most important juncture, the king was influenced by Maitland, almost the only able statesman that ever enjoyed any thing of his confidence, and he perceived the necessity

of acting in conjunction with the ministers, who possessed so much influence with the people; the consequence was, that the public measures, which were directed by the council, were wise, and well adapted to the exigencies of the time, while those in which the king was personally engaged, betrayed a woful degree of indecision, and imbecility. A little after the convention dissolved, colonel Semple, an agent of the prince of Parma, arrived at Leith, on a pretended mission to the king, but his communication was of so trifling a nature, that it raised suspicions of its being merely a covert for some darker purpose. He was accordingly ordered to be watched, and was taken in the very act of unsealing despatches from abroad. When detected, he readily offered to go before the council, but contrived to inform Huntly, who was allowed by the king to reside with his new married lady in the precincts of Holyroodhouse, of his procedure, and was in consequence, forcibly rescued on his road to the palace. Information of this being carried to the chancellor, who was attending the evening service of St. Giles—it was a public fast—he instantly collected a number of people, and went in pursuit of Huntly, who must have been taken, but the king, who was returning from Falkland, met him in the street, and would not allow him to proceed. Huntly, however, was sent for to the chancellor's, and having made some frivolous excuse, was permitted to depart, on promising to produce Semple next day, but during the night, Semple made his escape, and was never more heard of, and the only punishment inflicted on Huntly for this daring and treasonable outrage, was being forbid the king's presence for a few days. \*

At length the long threatened expedition arrived in the English channel. The instructions of the Spanish monarch were, first to scour the straits of all the enemy's vessels, then join an armament under the duke of Parma, and sailing directly up the Thames, by one decisive blow, seal the fate of England; and so certain were they of success, that no precautionary measures were taken to lessen the disasters of a defeat, by securing some friendly port, where they might have

\* Spotswood, p. 370.

found shelter from enemies or storms, or repaired their damages. The admiral of the fleet disobeyed his orders, and sailed direct for Plymouth, where he understood the English fleet, dispersed by some late gales, had gone to refit, but the English, who had been informed by a Flemish or Scottish pirate of their approach, were prepared to meet them, and had put to sea, with the intention of taking advantage of any favourable circumstance which might arise, and the activity of Sir Francis Drake, was successful in cutting off two of the largest ships. As the Armada proceeded, it continued to be harassed by the smaller, but more managable vessels of their enemies, and when they reached Calais, before which they anchored, a successful stratagem was practised against them, by sending a number of small vessels, filled with combustibles, into the midst of the fleet. Alarmed at their appearance, the Spaniards cut their cables, and endeavoured to escape, without order, and in the greatest trepidation. The English attacked them in their confusion, and did considerable damage, while the elements conspiring with the enemy, spread terror and ruin throughout this immense armament, a few weeks ago, presumptuously designated invincible.

The duke of Parma, blockaded by the Dutch, had only a fleet of transports, and the floating bulwarks to which he had trusted, scarcely able to defend themselves, could neither relieve the blockade, nor protect him on his passage. He, therefore, gave up all idea of attempting it, and the Spanish admiral, who saw his fleet daily diminishing, prepared to return home; but the wind proving contrary for sailing through the channel, he resolved to stretch northward, and, making a sweep round the island, return by the western ocean. A violent tempest overtook them, after they had passed Orkney, and the sailors, unable to contend, yielded to its fury, and the scattered Armada perished miserably among the Hebrides, and on the coasts of Scotland and Ireland. A few only returned to Spain, to carry thither the melancholy tidings, which filled almost every family of note with mourning; for such had been the anxiety of the grandees to share in the glory of conquering England, that there was hardly one house,

who had not furnished a father, brother, or son, as a soldier or volunteer, on this holy expedition.

The rejoicings in both kingdoms, on account of this most propitious event,\* were, among the Protestants, ardent and sincere. In Scotland, they were expressed in the most lively manner, yet, notwithstanding the zeal manifested against the errors of popery, and the determined resistance to its tyranny, it is pleasant to know that it did not operate in extinguishing the feelings of humanity to the most bigoted of the Romish persuasion, when shipwrecked upon their coasts, and thrown helpless among a people they had embarked to destroy. Hundreds of the sufferers, who were forced ashore, were kindly treated, supplied with necessities, and sent back in safety to their own country.\* The Roman Catholics, how-

\* Robertson's Hist. of Scot. Book vii. The following is too remarkable to be omitted. James Melville, minister of Anstruther, a seaport on the south-east coast of Fife, was early one morning, before the overthrow of the Armada was known in Scotland, informed by one of the bailties of the town, that a ship filled with Spaniards, had entered their harbour, but that the strangers were come to ask mercy, not to give it, and the magistrates requested his advice how to act. The principal inhabitants having convened, it was agreed, after consultation, to give audience to the commander, and that their minister, who had some acquaintance with the Spanish language, should convey to him the sentiments of the town. Intimation of this having been sent to the vessel, a venerable old man, of large stature, and martial countenance, entered the town-hall, and making a profound bow, and touching the minister's shoe with his hand, addressed him in Spanish. "His name was Jan Gomez de Medina. He was commander of twenty hulks, being part of the grand fleet, his master Philip, king of Spain, had fitted out, to revenge the insufferable insults which he had received from the English nation; but God, on account of their sins, had fought against them, and dispersed them by a storm, the vessels under his command, had been separated from the main fleet, driven on the north coast of Scotland, and shipwrecked on the Fair Isle; and after escaping the merciless waves and rocks, and enduring great hardships from hunger and cold, he, and such of his men as were preserved, had made their way in their only remaining bark to this place, intending to seek assistance from their good friends and confederates, the Scots, and to kiss his majesty's hand, (making another profound bow,) from whom he expected relief and comfort to himself, his officers, and poor men, whose case was most pitiable." When James Melville was about to reply in Latin, a young man, who acted as interpreter, repeated his master's speech in English. The minister then addressed the admiral. "On the score of friendship, or of the cause in which

ever, who had anticipated the triumph of their religion in the ruin of their country, disappointed by the unexpected failure of the Spanish Armada, became dispirited and enraged, in proportion as they had been sanguine and confident, and began immediately to engage in new intrigues, and the duke of Parma endeavoured to revive their hopes, by representing the loss in the late expedition, as greatly exaggerated, and encouraging them with the hope of a new armament being despatched in the spring, before the tempestuous weather should set in, and, in the meantime, remitted a large

they were embarked, the Spaniards, he said, had no claims on them; the king of Spain was a sworn vassal to the bishop of Rome, and on that ground, they and their king defied him; and with respect to England, the Scots were indissolubly leagued with that kingdom, and regarded an attack upon it as the same with an attack upon themselves. But although this was the case, they looked upon them in their present situation, as men, and fellow creatures, labouring under privations and sufferings, to which they themselves were liable; and they rejoiced at an opportunity of testifying how superior their religion was to that of their enemies. Many Scotsmen, who had resorted to Spain for the purposes of trade and commerce, had been thrown into prison as heretics, their property confiscated, and their bodies committed to the flames. But so far from retaliating such cruelties on them, they would give them every kind of relief and comfort which was in their power, leaving it to God to work such a change in their hearts as he pleased." This answer being reported by the interpreter to the Spanish admiral, he returned most humble thanks, adding, that he could not answer for the laws and practices of his church, but as for himself, there were many in Scotland, and perhaps some in that very town, who could attest that he had treated them with favour and courtesy. After this, the admiral and his officers were conveyed to lodgings which had been provided for them, and were hospitably entertained by the magistrates and neighbouring gentlemen, until they obtained a license and protection from his majesty to return home. "The privates, to the number of threttin score, for the maist part young berdles men, sillie, trauchled and hungered, were supplied with keall, pottage, and fish."

The sequel of the story is gratifying. Some time after this, a vessel belonging to Anstruther, was arrested in a Spanish port. Don Jan Gomez, was no sooner informed of this, than he posted to court, and obtained her release from the king, to whom he spoke in the highest terms, of the humanity and hospitality of the Scots, he invited the ship's company to his house, inquired kindly after his acquaintances in the good town of Anstruther, and sent his warmest commendations to their minister, and other individuals, to whom he considered himself as most particularly indebted. Melville's Diary, quoted by Dr. M'Crie.

sum of money to Bruce, a seminary priest in Scotland, to be applied as he saw proper, in securing the nobles already gained, and in endeavouring to make new proselytes.

At the head of the party, stood the earls of Huntly, Crawford, Errol, and lord Maxwell, who styled himself earl of Morton. All these entered into a correspondence with the prince of Parma, and offered their services to the king of Spain, advising him to make an attempt upon England through Scotland, which they lamented had not been done by the Armada, for if it had, it could scarcely have failed of success. Huntly, who had basely reconciled himself to the church, excused himself for his compromise, by pleading necessity, and promising to atone for his hollow compliance, by some good service, tending to the advancement of the cause of God, who, he said, had given him such favour with his majesty, as to enable him to remove the former guard, and replace them by persons wholly at his devotion, who, so soon as the promised aid should arrive, should ensure the downfall of the heretics' power, and the triumph of the Catholics. Errol, who had been newly converted to the Catholic faith, said, that ever since his conversion, he thought himself bound to promote the Catholic king's enterprises, and as the promotion of that religion, which was the greatest, and most important cause in the world, was so intimately connected with them, he was now become altogether his; and the united desire of the whole was, that Philip would send six thousand veteran troops, and as much money as would support six thousand more, with which they engaged, within six hours after their arrival, to advance into England, to assist the forces he might be able to land there. They besides, advised him, that the most likely plan to ensure success, would be to divide his forces, and instead of attacking England with his whole army at one point, to make a simultaneous attack upon it, from Ireland and Scotland, which would distract the attention of the government, and while they made their greatest efforts on the side of Scotland, believing the main force to be in that quarter, a descent might be made directly upon the coasts of England, which would be left naked and defenceless.

The foreign emissaries, who foresaw that a number of diffi-



culties or hinderances might retard any attempt from abroad, urged the popish lords, in the meantime, to do something at home, which might induce the king to hasten his operations, and make him more anxious to send his promised aid. A plan was formed at their instigation, to get possession of the king's person, and to remove from his presence the chancellor and treasurer, for they despaired of effecting their purpose while they directed his councils. In this scheme to overturn the cabinet, they calculated upon the assistance of other noblemen, who, although not Roman Catholics, were discontented. Bothwell, a grandson of James V.\* whose restless disposition would never allow him to remain long quiet, and the earl of Montrose, proposed to assemble a force at Quarrel-holes, between Leith and Edinburgh, and thence proceed directly to Holyroodhouse, and take possession of the king's person. Maitland and Glamis were to be excluded, or, if found in attendance, were to be killed. This plan was, however, disconcerted, by the king's remaining with the chancellor, in whose house he had lodged during the greater part of the preceding winter. The conspirators, when they learned that the king had fixed his residence within the walls, halted at different places, a considerable way from the city. Huntly alone, presuming on the king's affection, proceeded, and on the evening on which they had appointed to meet, with the most daring audacity, entered the presence chamber, where the king was conversing with the chancellor, attended by Kinfauns, the earl of Crawford's brother, and some of Errol's most determined followers. The unexpected appearance of the men, and their threatening look, excited suspicion in some of the chancellor's friends, who, anxious for his safety, pressed round him, and on the king's retiring—which he did after he had conversed a little with Huntly—guarded him to his own apartments, immediately above those of the king. As soon as he withdrew, he sent a message to the king, to intimate respectfully the insult that had been offered his majesty, and point out the impropriety and danger of suffering so many armed men to remain in the house. On which, the earl and

\* A son of John Stuart, prior of Coldingham.

his men were ordered to withdraw, and the rooms were shut; but next morning, the king sent for him, and straitly interrogated him as to his errand in town, and why he came with armed attendants. His answers were vague and unsatisfactory, and he was forthwith committed to the castle. Information was also received that day of the advance of some of the others with bodies of men, and the whole plot was discovered. On which, Errol and Bothwell were summoned to appear before the council, which refusing to do, they were denounced rebels. Huntly, after a very short confinement, was, upon a promise of better behaviour in future, set at liberty by the king, and allowed to go north. In his progress thither he had an interview with the earl of Crawford at Perth, which they intended to fortify as convenient head quarters for assembling their forces; but hearing that the treasurer had arrived in that quarter, and had appointed a meeting of his vassals at Meikle, they gave up their intention, and proceeding against him, pursued him to the house of Kirkhill, which, on his attempting to defend, they set fire to, and forced him to surrender. After which they marched north.

Prosperity had not lulled the vigilance of Elizabeth, and as she was well acquainted with the state of Scotland, she watched with jealousy the proceedings of the disaffected, then rendered more dangerous and daring by the impunity which they hoped from the facile disposition of the king, or the incomprehensible refinement of his ingenious king-craft. All the treasonable correspondence of the Popish lords was intercepted in England by her agents, and the extensive conspiracy discovered. Alarmed at the danger with which she was threatened, she wrote a very sharp letter to James, and reproaching him with his remissness and lenity in former cases, exhorted him to take some strong measures now, and to punish with severity those concerned in the present wide spread treasonable project. In compliance with the queen's injunctions, a proclamation was issued, ordering the Jesuits, seminary priests, and their abettors, particularly Hay, Crichton, and Bruce, to quit the country under pain of death; but instead of obeying the mandate, they resorted to Huntly, Craw-

ford, and Errol, and instigated them to repay the clemency of their sovereign, by breaking out in open insurrection.

The three combined lords accordingly collected their forces, and in the beginning of April entered Aberdeen, where they issued a proclamation in the king's name, declaring that he was held captive, and calling upon all his loyal subjects to aid those who had taken arms to procure his liberation. They were the more readily induced to take this step, by the hope that Bothwell, and his friends in the south, would be able to create such a diversion as would prevent the king, for some time, from bringing any force against them. But the king having proclaimed Bothwell, and the chief of his followers, rebels, resolved to march against the more formidable party in the north, and crush them before they had time to consolidate their strength. Having hastily assembled a small army, he advanced rapidly to Currie, a small village, about ten or twelve miles distant from Aberdeen, where he learned that the confederates, three thousand strong, were in full march to meet him. They did not, however, dare to trust their forces, many of whom had joined them in the belief that they had the king's commission, and the leaders disagreeing among themselves, they dispersed at the bridge of Dee. On hearing of their dispersion, the king went to Aberdeen, where he received the submission of several who had joined the rebels, and offers of service from numbers of the noblemen and barons. From Aberdeen he proceeded to Edinburgh, where he was joined by the treasurer, who had obtained his liberty, and was commissioned by Crawford and Huntly to carry their offers of submission to the king, as was the chancellor that of Bothwell. The parties were desired to enter ward, and submit to trial; but the king would consent to no conditions. With this the earls found it advisable to comply, and on the 4th of May were indicted in eight distinct charges of treason:—for practising with Jesuits, priests, and foreigners, against religion; receiving Spanish gold, and hiring soldiers to disturb the peace of the realm; for entering into a treasonable bond to surprise and fortify Perth; for conspiring to take the king prisoner, and kill his counsellors; for having set fire to the house of Kirkhill, and taken the treasurer, Glamis,

prisoner; for having convoked the lieges by proclamation, under pretence that the king was detained prisoner against his will; for coming with displayed banners against the king at the bridge of Dee; for having maltreated the king's herald, and prevented him from proclaiming the king's letters; and for having hired strangers, soldiers, and others, to invade the town of Leith during the king's absence. This last particularly applied to Bothwell. Huntly pleaded guilty, and threw himself on the king's mercy; the others were found so, part by their own confession, and part proved upon them, but sentence was suspended by the king's warrant, and they were committed to prison during his majesty's pleasure—Bothwell to Tantallon, Crawford to Blackness, and Huntly to Edinburgh castle. After a few months' confinement they, and all the rebels, were pardoned, amid the rejoicings in prospect of the king's marriage.

Ever since the embassy from Denmark, James had directed his thoughts thither for a suitable consort. Mr. Peter Young, who had been one of his tutors, was sent, soon after the ambassador's return, to visit that court, and inform him of the appearance, manners, and qualifications of the princesses; which, if favourable, he determined early to send a more honourable embassy. Soon after, colonel Stewart, who had a pension from the king of Denmark, under cover of his own business, went also thither, and carried with him some written instructions, to enter into a negotiation with the king about a marriage; and both these envoys returned home highly pleased with the manner in which they had been treated, and full of the praises of the young princesses.

Elizabeth, from the moment she had heard of the Danish embassy, was jealous lest it would end in a marriage, and began to practise all her arts to prevent it; but James, resolved upon matrimony, despatched another embassy to forward the match. Scarcely, however, had they sailed, when Guillaume de Saluste Sieur du Bartas, the celebrated French poet, who had been invited by the Scottish king to pay him a visit, arrived in Scotland. Henry IV., then king of Navarre, who was at that time anxious to secure the alliance of all the protestant princes, took advantage of this visit, to propose a treaty

with the king of Scots, and to offer him in marriage his sister, the princess of Navarre. James, gratified by the attention of Henry, and flattered by the poet, acceded to the proposals, and sent lord Tunghland, along with Du Bartas, to France, to bring him a report of the princess of Navarre. The princess rejected the match, in consequence of her attachment to the Comte de Soissons; and the king of Denmark, who had been informed of the mission by the English agents, and was already disgusted with the delays, and tired with the repetition of embassies, which came to nothing, gave his eldest daughter in marriage to the duke of Brunswick.

Disappointed in his hopes from both, James, who was now arrived at full manhood, and stood, as he himself expressed it, alone, without father, mother, brother, or sister, imagining that the failure had proceeded from his own ministers, made his addresses to the princess Anne, Frederick's second daughter. Thwarted once more by a vote of his council, who, gained by England, pronounced against his marriage with Denmark, and Elizabeth, at the same time, sending him a message to dissuade him from the match, the king became irritated, and his love, rendered more ardent by opposition, prompted him to a measure, which nothing but the violence of his passion could excuse. He incited, by some of his confidential servants, the deacons and craftsmen of Edinburgh to mob the chancellor, and threaten his life if any more obstacles were thrown in the way of his gratification. The rough arguments of the trades had the desired effect, and the earl Marischall was despatched to Denmark, with full powers and instructions under the king's own hand. The marriage articles were easily settled, and the young queen, who was married by proxy, set sail for Scotland. James, whose expectation was now upon the stretch, was yet doomed to feel other disappointments. A violent storm drove the fleet into Norway in so shattered a condition, that they could not proceed upon the voyage, and it was determined that the queen should winter in Norway. The king's belief in witchcraft was solid and sincere, yet, notwithstanding the general suspicion, that the witches, both of Norway and Scotland, were leagued against him, his amatory impatience got the better of his fears, and

he determined to proceed himself to the north, and bring home his bride. Without communicating his design to any of the council, he set sail, accompanied by the chancellor, a number of noblemen, and a splendid train, and after a rough voyage of five days, arrived at a small port near Upsal, where the queen was. On the Sunday following, the marriage was solemnized by the king, Lindsay, the minister of Leith, who acted as his chaplain, performing the ceremony in the French language. On an invitation from the court of Denmark, he repaired to Copenhagen, and spent the winter in feasting and entertainments, which were augmented by the solemnization of the queen's sister's marriage, early in the spring; nor was it till the latter end of April that he thought of returning to his own dominions. \*

Previously to his departure, the king had arranged a kind of regency to manage in his absence, at the head of which he placed the duke of Lennox, assisted by Bothwell and Sir Robert Melville, and the other officers of state resident constantly in Edinburgh. He appointed also various noblemen to attend to the peace of the borders, and the internal state of the country; and the church, through the wise measures of the chancellor, being now on good terms with the court, Mr. Robert Bruce, one of the ministers of Edinburgh, was nominated an extraordinary member of the privy council. During the whole of the king's absence, the country remained in a state of tranquillity, such as it had not known for many years—a tranquillity which the king attributed chiefly to the zealous exertions of the clergy, of which, although he afterward requitted them so ungratefully, he appeared at the time to be fully sensible. In some of his letters to Bruce, which are still preserved, he tells him, that he was worth the quarter of his kingdom, and that he would reckon himself beholden to him while he lived for the services he had done him, and would never forget the same. †

\* Sir James Melville's Memoirs, p. 353, 359. Spotswood, p. 377. Calderwood, p. 224. M'Crie's Life of Melville, p. 369. Note.

† After thanking Bruce, he adds the following irreverent intimation, desiring him to "see that he waken up all men to attend his coming, and prepare themselves accordingly, for his diet would be sooner, nor perhaps it was

In the beginning of May the royal party arrived at Leith, and were received with the greatest demonstrations of joy, by the immense crowds who had assembled to welcome them on their landing. On the 17th the ceremony of the queen's coronation was performed with great solemnity in the chapel of Holyroodhouse, at which all the foreign ambassadors were present, and an immense concourse of the nobility and gentry. Three sermons were preached on the occasion, in three different languages, Latin, French, and English; after which, while the royal party retired for a little, Andrew Melville recited a Latin poem, composed by him in celebration of the event, which the king, in returning thanks, said, had done him and the country such honour as he could never requite.\* Robert Bruce, one of the ministers of Edinburgh, had the honour of anointing the queen, and David Lindsay, minister of Leith, assisted by the chancellor, created lord Thirlstane on the occasion, placed the crown on her head. The solemnity continued from ten in the morning till five at night. Next Tuesday she made her public entry into Edinburgh, and was received with shows and pageants, as customary at the time.. Sunday following, they attended divine service in the High church. After sermon, the king harangued the congregation. He told them he was come to thank God for his safe return, them for their good conduct, and the ministers for their great care in remembering him in their prayers during his absence. He confessed that many things in the government had, through the heedlessness of his youth, been ill attended to, but now that he had got married, he would settle, and devote himself entirely to the high duties of his station, administer justice impartially, and see the kirks better provided.

looked for: and as our Master saith, *He will come like a thief in the night*, and whose lampes he found burning provided with oile, these he would cunae thanks, and bring into the banquet house with him; but these that lacked their burning lampes provided with oile would be barred at the door; for then would he not accept, their crying, Lord, lord, at his coming, that had forgotten him all the time of his absence."—Calderwood, p. 248.

\* It was next day printed by the king's orders, who added, all the ambassadors joined in soliciting its publication. The title was, Στεφανου, *A little Garland*.

The successful activity which the ministers had displayed during his absence, in preserving peace and good order, tended still more to reconcile the king to the ministers, and even the Presbyterian form of church government, and drew from him, at the next meeting of the general assembly, his famous panegyric on the purity of that church. In a rapture, and with his hands lifted up, he praised God that he was born in such a time as in the light of the Gospel, and in such a place as to be king in such a kirk, the purest kirk in the world. "The kirk of Geneva," exclaimed he, "keepeth Pasch and Yule, what have they for them, they have no institution. As for our neighbour kirk in England, their service is an evil-said mass in English; they want nothing of the mass but the liftings. I charge you my good people, ministers, doctors, elders, nobles, gentlemen, and barons, to stand to your purity; and I forsooth, so long as I brook my life and crown, shall maintain the same against all deadly." This speech was received by the assembly with a transport of joy; there was nothing heard for a quarter of an hour, but praising God, and praying for the king. Yet there were some who did not give the king full credit for his declaration; Davidson, minister of Prestonpans, said to some who were sitting by him, I know well, for all these professions the king makes, he will not prove sincere, but will bring in the English modes, and rob us of our privileges.

About this time too, Adamson, bishop of St. Andrews, who had been esteemed the most virulent, as he was among the most able of the enemies of Presbyterianism, having been deprived of the revenues of his see by the act of annexation, and reduced to poverty in his old age, recanted his episcopal sentiments, and professed deep sorrow for the opposition he had made to the discipline and judicatures of the church. Deserted, and left to starve by the king, the worst of whose measures he had always advocated, he was supported in his sickness and distress, by the men he had uniformly opposed. But these circumstances, while they highly redound to the credit of their benevolence, naturally create doubts as to the sincerity of any expressions of contrition the bishop might utter—dependance is seldom unallied to dissimulation.



Immediately on the king's return, the country, which had been so quiet during his absence, presented a scene of bloodshed and confusion. The almost certainty of escaping punishment, encouraged crime, and to such an extent was this false clemency carried, that the bonds of society were loosened, an universal anarchy prevailed, and in no period of history, even when the feudal aristocracy was entire and unbroken, was Scotland more distracted by the quarrels of the nobles, and the license of their retainers. The turbulent Huntly, kept the north in a constant state of inquietude, and depending upon easily obtaining the king's pardon, not only committed the grossest outrages, but acted as if he had been an independent prince. His pretensions occasioned a deadly feud between him and the earl of Moray,\* which long kept these districts in a perturbed state, and some time after, ended fatally to the latter. It thus originated:—A servant of one of the Gordons having been killed in a private quarrel, by the tutor of Ballendalloch, one of the Grants, Huntly, searching for the offender, attacked and took by force, the house of the chief. The Grants, who considered this an insult to their clan, applied to the earl of Moray, along with the clan Chattan and the Dunbars, who all dreaded Huntly's power, in order to unite for mutual protection. Huntly, who could brook no opposition to his power in that quarter, having heard that Moray and his relation the earl of Athol, were to meet these clans in Forres, assembled a body of men, and went thither to dissolve the meeting, but before he arrived, they had separated, and Moray was returned home. Disappointed in his object, Huntly proceeded to Moray's residence, which he surrounded with his men, and threatening the earl in the most insulting manner, provoked a discharge of some musquets from the house, by which that Gordon was shot, whose servant the tutor of Ballendalloch had killed. Both sides assembled their followers, and although occasionally the king's injunctions to desist were attended to, the contest continued till Huntly went to the south. Almost at the same

\* Moray was the son of the Good Regent, was esteemed the handsomest man of his age, and was generally known by the name of *The bonnie Earl of Moray*.

time, Kerr of Ancrum, was assassinated in Edinburgh, by Kerr of Cessford, under covert of night, but the assassin, after being in hiding for a few months, was pardoned.

While these sanguinary feuds were neither repressed nor punished, the king spent the winter in attending the discovery and examination of witches and sorcerers, and although the confessions which were extorted from the unfortunate creatures, were at variance with credibility and common sense, and so ridiculous, that it would be impossible to read them without a smile, did not the cruelty of their persecutors raise other sensations than those of mirth, yet, upon such incoherent ravings, were many men and women committed to the flames, for a crime, in their cases, certainly imaginary. In the course of these examinations, some of the sufferers accused Bothwell of having consulted them with regard to the time of the king's death, and he, upon this vague charge, was sent to Edinburgh castle. On being arrested, he protested against his commitment, alleging, that the devil, who was a liar from the beginning, ought not to be credited, nor yet the witches, his sworn servants. When his cause came before the council, it was proposed to send him out of the country for some time, a report of which being carried to him in prison, indignant at the treatment he had already received, and dreading worse, he, after being about a month confined, corrupted his keeper, and made his escape. His flight was construed into a confession of guilt, and the king caused him to be denounced traitor upon a former sentence, and, by proclamation, prohibited all his subjects from having any intercourse with him. This proceeding exasperated Bothwell, who imputed the whole to the chancellor, against whom he vowed vengeance. There were others about the king's person, who disliked Maitland, and were willing to engage in any scheme to remove him from the royal councils; with them Bothwell consulted, and having collected a few followers, a conspiracy was formed for surprising his majesty and his whole court in the palace.

It was proposed to introduce Bothwell and his followers by a back passage, that lay through the duke of Lennox' stables, who was immediately to seize the gates, take the keys from the porters, and then to proceed to the king's chamber, and

secure him. As the king was totally unprepared, and dreaming of no danger, there did not seem the least risk of the enterprise failing, when the accession of James Douglas of Spot, an accidental circumstance that should have rendered the issue more certain, completely defeated it. A few days before, George Hume of Spot, Douglas' father-in-law, was killed by some Mersemen of the name of Home, and Sir George Hume, his nephew, the king's equerry, suspecting Douglas, accused him of being author, or accessory to the murder, from a dread lest his father-in-law should bestow upon Sir George, some lands which Douglas claimed in right of his wife. Upon this accusation, some of Douglas' servants were taken into custody, and confined in the palace, on purpose to be examined by torture! \* The chancellor strenuously opposed this infamous and unjust mode of procedure, but the king insisted, and when Douglas, who also lodged in the palace, saw that there were no means of preventing it, he joined the conspirators. At the hour appointed, Bothwell and his followers were admitted by his accomplices, and had already reached the inner court of the palace without noise, when Douglas, eager to release his servants, proceeded with a party to force the rooms where they were confined. The noise of the hammers, in attempting to break open the doors, gave the first alarm. The king, who was then in the queen's apartments at supper, on hearing the noise, fled to the tower as a place of safety. Bothwell, after directing one body of his men to proceed to the chancellor's room, and secure him, went himself with the rest to the queen's apartments, where he expected to find the king; but the chancellor, with a few servants, resolutely defended his chamber, and the door of the queen's being barricaded, while Bothwell called for fire to burn them, Sir James Sandilands, one of the gentlemen of the king's bedchamber, receiving information of the king's danger, entered through the chapel, and drove the assailants from the palace, the chief of whom, taking advantage of the darkness, escaped by the same way by which they had entered. Nine of the lower order were taken, and hanged next

\* Spotswood, p. 386.

morning. Of the king's party, only one person was killed, Shaw, an equerry, who was shot by Bothwell, as he attempted to take him.

On the failure of this attempt, Bothwell fled to the north, and the king, suspecting that he had gone to the earl of Moray, his cousin-german, to engage him in his cause, despatched lord Ochiltree to Moray, to invite him to the south, on pretence of effecting a reconciliation between him and Huntly. But, in the meantime, a rumour having been raised, that the earl was seen in the palace along with Bothwell, on the night when it was attacked, Huntly, who was at court, carried the story to the king, whose timid and suspicious temper being alarmed, gave him, although the known and avowed enemy of Moray, a commission to apprehend, and bring him to trial. In the meantime, this nobleman, unaware of the intrigues of his enemy, had arrived at Dunibirsle, a castle belonging to his mother, lady Downe, on the north bank of the Forth, where he was residing in the utmost security, without interfering with the changes of the court, or the animosities of the nobles. Huntly having heard of his arrival, and of his security, went with the sheriff of Moray, and some of his own retinue, and surrounding the house, required him to surrender. The earl, suspicious of his intentions, refused to put himself into the power of his enemy, and attempted a defence, but the house being set on fire, those within were forced to come out. The earl remained behind till night-fall, when rushing through the midst of his enemies, he outran them, and reached some rocks at a distance, where he would have been safe, they supposing he had escaped, but unfortunately the lip of his helmet, which, unknowingly to him, had caught fire, discovered the place of his retreat, and he was inhumanly put to death. The untimely death of this young nobleman, heir of the regent Moray, and endeared to the people by the similarity of his character, excited the deepest indignation.

Next morning after the murder, James went with the greatest unconcern, to enjoy his usual pastime of hunting about Innerleith and Wairdie, opposite Dunibirsle, whose flames were yet hardly extinguished, but on his return to town, he

was met by the general and loud lamentation of the citizens, which so terrified him, that he sent for some of the ministers, whom he desired to clear him to the clamorous multitude, from any participation in the deed. On which the ministers replied, that the only way to clear himself, was to inflict exemplary punishment on the perpetrators. As there appeared, however, no disposition on the part of the court to prosecute this atrocious crime, the discontent increased, and so openly were the king and his ministers insulted, that he deemed himself unsafe in the capital, and removed to Glasgow with his council, till Huntly entered into ward at Blackness castle, and the popular feeling in some degree subsided. After remaining in confinement about three or four days, Huntly was allowed to depart, upon giving surety to appear when called upon, and not long after, without even undergoing the form of a trial, was permitted again to return to court. \*

The king's careless temper, and the number of craving, worthless minions, whom he encouraged about court, which reduced him to a state of almost absolute poverty, † his lenity towards the popish faction, and his remissness in pursuing the murderers of the amiable Moray, which lowered him in the estimation of the people; the attempts of Bothwell, and the

\* Dr. Robertson says, "the power of the chancellor, with whom he—Huntly—was now closely confederated, not only protected him from the sentence which such an odious act merited, but exempted him even from the formality of a public trial." I have not been able to discover any traces of this close connexion, nor am I inclined to believe that it existed. The duke of Lennox was, at this time in opposition to the chancellor, Sir J. Melville's Mem. p. 396, and I think it pretty evident, from a comparison of Spotswood, Melville, and Calderwood, that the chancellor had been constantly thwarted in his measures, by the perverse partialities of James, that bane of his government, from the first moment to the last; and to the influence of Lennox, who appears to have been a favourite with the queen, to the liking the king himself had to Huntly, and to the hatred which he bore to the regent Moray's memory, I would attribute the ease with which he passed over the murder of the son, who, as he inherited his father's virtues, would naturally inherit his cousin's hatred.

† Hudson mentions, "that while he was at the Scottish court, both the king's and queen's table had like to have been unserved by want, and that the king had nothing he accounted certain to come into his purse, but what he had from the queen of England." Rymer, vol. xvi. p. 149.

number of adherents who abetted him, which rendered his own palace insecure; the cabals in his court, which obstructed and enfeebled the operations of his government; the odium which the chancellor incurred from the faults of the sovereign, all conspired to produce a crisis, equally alarming to that minister and to his master. Surrounded with so many difficulties, the only resource that remained, was to cultivate the friendship of the church, and thus regain the affections of the people. The clergy, headed by able and persevering, as well as zealous and intrepid directors, saw their opportunity, and resolved to improve it. At a meeting of the general assembly, held previous to the meeting of parliament, it was resolved to petition for a legal establishment of the presbyterian form of church government, and for a repeal of all these acts, which had proscribed the liberty of the church. In consequence, they arranged their demands under four heads, to be presented to the king, and directed the committee appointed to present them, to be accompanied by some others of their brethren, to wait upon his majesty, and solemnly admonish him, to take into his serious consideration, the state of the church, and of the realm, the many murders, and acts of oppression, which daily multiplied through the impunity which the perpetrators enjoyed, and the inattention to the execution of justice which the government displayed, and to attend to the proper discharge of his kingly office in both, as he would escape the fearful judgment of God, and avert his wrath from himself and the land.

Parliament met on the 5th of June, 1592, when the articles prepared by the general assembly were laid before it. They were:—That the acts, 1584, made against the discipline of the church, liberty, and authority thereof, be annulled, and the present discipline, whereof the church hath had the practice, be ratified; that the act of annexation should be rescinded, and the patrimony of the church restored; that abbots, priors, and other prelates, representing the church, and, without power and commission, acting for it, be not suffered in time coming to vote for the same, either in parliament, or in any other convention; and that the country, which is polluted with fearful idolatry and blood, be purged. An act was upon

this passed, ratifying the general assemblies, provincial synods, presbyteries, and particular sessions, &c. and declaring them, with the jurisdiction and discipline belonging to them, to be in time coming, most just, good, and godly, notwithstanding all acts made to the contrary; the powers of the provincial synods and presbyteries are defined; the times and manner of meeting for the higher courts are settled; general assemblies are to be held once a year or oftener, *pro re nata*, as circumstances should require; his majesty, or his commissioners, if present, shall, at each assembly, before its dissolving, appoint the time and place for the meeting of the next, or, if they be absent, the assembly themselves shall appoint it as they were wont; provincial synods are to meet twice a year; all the acts in favour of popery are repealed, which had not formerly been rescinded—declared that the act of 1584, respecting the king's supremacy, shall be in no ways prejudicial to the privilege God hath given to the spiritual office-bearers in the church, concerning heads of religion, matters of heresy, excommunication, appointment or deprivation of ministers, or any such essential censures, having warrant in the word of God; and it declared the act of the same parliament, granting commissions to bishops and other judges, constituted in ecclesiastical causes, to receive his majesty's presentations to benefices, and to give collation, to be expired of itself, and to be null and of no avail in time coming; and therefore ordains all presentations to benefices to be directed to the particular presbyteries, with full power to give collation, and to manage all ecclesiastical causes within their bounds, provided they admitted such qualified ministers as were presented by his majesty or other patrons.

Thus was the establishment of presbytery at length obtained, from a prince who hated it with the most rooted antipathy, by the unyielding perseverance with which its supporters pursued their object, amid opposition and persecution, and the admirable dexterity with which they seized every favourable opportunity that occurred for its advancement. At this period the supporters of presbytery were the assertors of civil liberty. When the parliaments were the mere puppets of the court, and the courts of law—for they could hardly be denominated

courts of justice—were subservient to the nod of the kings or their favourites, the church of Scotland maintained the only spirit of independence in the land, and to this, more than to their religious tenets, was owing the implacable animosity of James. Had the genius of presbytery been as congenial to the spirit of despotism as that of prelacy, Scotland would never have been persecuted about bishops.

“The act of parliament, 1592,” says a writer who has well studied the subject, “which still continues to be the charter of the church of Scotland’s liberties, has always been regarded by presbyterians in an important light, and as a great step in national reformation. It repealed several statutes which were favourable to superstition, and hostile to the independence of the kingdom; it reduced the prerogative of the crown, which had lately been raised to an exorbitant height, and by legally securing the religious privileges of the nation against arbitrary encroachments, it pointed out the propriety and practicability of providing similar securities in behalf of political rights; it gave the friends of the presbyterian constitution the advantage of occupying legal ground, and enabled them, during a series of years, to oppose a successful resistance to the efforts of the court to obtrude on them an opposite system; and as often as the nation felt disposed to throw off the imposed yoke of episcopacy, they availed themselves of this charter, and founded upon it a claim of right to the re-enjoyment of their ancient liberty.” \*

When the parliament rose, the king went to Falkland, and Bothwell renewed his intrigues to obtain possession of his person. Notwithstanding the numerous warnings he had received, the king still persisted in retaining at court the men who were ready, upon every opportunity, to deceive and betray him. With them Bothwell concerted to be admitted into the palace, and he had also leagued with the earl of Angus, the Johnstons, and some others, to support him against any efforts the surrounding country might make to relieve his majesty. James had received notice that a plot was in agitation, and been advised to take some precautionary

\* M’Crie’s Life of Melville, p. 403.



measures; but the party who were privy to the scheme, persuaded him to treat this with contempt, and even to allow the messenger, sent to inform him of his danger, to be treated with insulting derision. The messenger, irritated by such a reception, retired in disgust, but meeting the earl of Bothwell and his party on the Lomond hills, he turned with them, as if he had been one of themselves, and afterward taking advantage of the darkness of the night, he advanced with greater speed, and arrived before them at Falkland. Entering the palace, he locked the gates behind him, and called out to the king to fly to the tower. The conspirators within finding the plot discovered, did not move, and Bothwell, instead of the ready admission he expected, finding that it would be necessary to force an entrance, after the exchange of a few shot, and having seized the horses in the royal stables, retired, with his fatigued and worn out followers, who had marched two days and two nights without either food or rest, to the adjacent hills till sunrise, when fearing the arrival of assistance to the king, now that the country was alarmed, he fled by the way of Stirling to the borders. Next day, upwards of three thousand men arrived to protect the king, who set out with them in pursuit of the enemy, but either afraid of their strength, or uncertain of the road they had taken, he proceeded to Queensferry, and thence to the capital. A number of Bothwell's followers, overcome by fatigue, were taken asleep on the hills, but allowed to escape. He himself took refuge in England, and the courtiers who were implicated in his treason, were, as usual, pardoned, and received into favour. Lord Spence had a form of a trial, after which he returned to his post. Wemyss, younger of Logie, a gentleman of the king's bed-chamber, was confined in the palace, but having, by a stratagem of one of the queen's maids—who deceived his guard, and let him out at a window by a cord—made his escape, the whole was turned into a jest, his treason was forgotten in the mirth which the young lady's artifice occasioned, and her ingenuity was rewarded by the hand of her lover, who, in a few days, resumed his situation at court.

Such conduct did not tend to lessen the number of Bothwell's friends. There was something popular in his daring,

restless character, and among the borderers he found, without difficulty, open abettors, both barons and gentlemen. James, to suppress the symptoms in favour of the fugitive, made an excursion to Jedburgh in the month of October, and bound the suspected over to hold no farther communication with him, a futile, but common method of obtaining a precarious submission from these unruly chieftains. At his return he found his court, which had for some time past been split into factions, now in a state of undisguised hostility, from the following cause:—The chancellor had obtained from the king, in consequence of the annexation act, the lordship of Musselburgh, that formerly belonged to the abbacy of Dunfermline; the rents of this abbacy had been settled upon the queen, and she, instigated to ask all that had ever belonged to it, insisted upon lord Thirlstane's surrendering the lordship. His refusal displeased her majesty, and Lennox, Errol, lord Ochiltree, with all the lords who had envied the influence of the chancellor, espoused her quarrel, on which, Thirlstane withdrew from the court, at a time when his abilities were most wanted. The effects of his retirement soon appeared. While the southern districts were restless, and the government disjointed and enfeebled, the north was wasted with cruel and sanguinary outrages. The clan Chattan, in revenge for the death of the earl of Moray, entered the lands of Strathspey and Glenmuck with fire and sword. Huntly retaliated upon the possessions of the M'Intoshes, and both parties accidentally encountering each other at a place called Staplegate hill, the clan Chattan were defeated with considerable slaughter. The victory was followed up by Huntly with shocking barbarity. In order to tranquillize these districts, the king despatched the earl of Angus with a commission of lieutenancy, and he happily succeeded in restoring peace.

About this time, captain James Stuart, leaving his skulking place, obtruded himself upon the king, hoping that, as his ablest adversary was in disgrace, he might establish himself at court, and regain his office of chancellor. The reception he met with clearly indicated that, hated as he was by the whole community, he still held a place in his majesty's affections, and, emboldened by this, he applied to the presbytery

of Edinburgh, and offered to give them satisfaction for any offences he might formerly have committed; but the presbytery, with great plainness, told him:—That they could have no opinion of him but evil, for ought they yet saw; that it would not be words, but good deeds that would change their minds; and exhorted him, if he had any kind of piety, or godliness, or religion, about him, that he should show the fruit thereof by a better repentance than they had yet seen, and demonstrate its sincerity by his exemplary conduct. They, at the same time, sent a deputation to warn the king, as he respected the advantage of the church, the weal of the country, or his own honour, to give no countenance to him, and to protest, if he were again admitted to his council, or to any office of trust, the church would be innocent of all the evil that might ensue. This firmness of the ministers was by no means agreeable to the king who would fain have retained Stuart about him; but the opposition was too strong to be resisted, and he retired without being able to obtain a footing. Shortly after, he was killed by James Douglas of Parkhead, in revenge for the death of his uncle, the earl of Morton. As he had lived detested, he died unlamented; the only sensation his murder occasioned, was astonishment that a wretch, whose insolence in power had created him so many enemies, should have been suffered to exist so long.\*

In the end of the same year, and in a good old age, the venerable John Erskine of Dun, superintendent of Angus, died. He early distinguished himself in arms by his successful defence of Montrose;† but his more lasting claims upon the gratitude of his country, arise from his early, uniform attachment to the cause of the reformation. He was among the first men of rank who openly espoused it, and through the arduous struggle he never shrunk from danger, while the amenity of his manner softened down, in some instances, the unpalatable truths he was commissioned to deliver to royal ears. He was, of the first reformers, the only one who enjoyed any thing like court favour; but it was without any dereliction of integrity, or any compromise of principle. After

\* Melville's Memoirs, p. 399

† Buchanan, book xv.

the establishment of the reformation, he was first a superintendent, and afterward a parochial minister. At his death, October 16th, he was in his eighty-second year.

No sooner was one conspiracy discovered, and the conspirators pardoned, than another was set on foot; but the close of 1592 was distinguished by one of greater extent than any of these which had yet alarmed the nation, and it was discovered and disconcerted chiefly by the exertions of the clergy. The constant state of agitation in which the public mind had been kept, was increased by the activity of the seminary priests, and the various reports of plots and invasions which rapidly succeeded each other. The ministers participated strongly in the public feeling, and about the middle of November an extraordinary meeting was held in Edinburgh, to consult on the state of the country, when, after communicating to each other the intelligence they had received, the conviction was general, that some plot existed for the overturn of religion, and that it was upon the eve of being carried into execution. On the 17th of that month, a deputation was sent to the king, to lay before him the result of their inquiries and deliberations. He expressed himself satisfied that just causes of alarm existed,\* and sanctioned the measures they proposed to adopt, which were:—To enjoin every presbytery to inform the well affected gentlemen within their bounds of the practices of their enemies, and exhort them to prepare to resist them, and at the same time, to exert themselves to compose all feuds existing among the friends of the Protestant cause; to appoint a committee to sit in Edinburgh during the present emergency to watch over the safety of the church, and an ordinary agent to obtain information of the movements of the Papists, and of all suspicious characters, arriving from or going to Popish countries; and to enjoin the ministers everywhere to exert themselves to obtain such information as might lead to the detection of their designs, which information was to be transmitted immediately to the committee, by whom it

\* Calderwood, in his printed history, p. 271, says, "He," the king, "granted that some missives should be directed to some well affected noblemen and barons, to desire them to repair to Edinburgh, to consult upon the means how to disappoint the designs of the adversaries."

was to be laid before the privy council; nor was it long before the precautionary steps adopted by the ministers were proved to have been not less wise than necessary.

Andrew Knox, having learned by some private information, that George Kerr, a doctor of laws, and brother of lord Newbattle, was lying at the island of Cumbrae, ready to proceed for Spain, went from Glasgow, accompanied by a number of students, and took him into custody. On examining his papers, there were found among them, letters of credence to some Jesuits in Spain, and blanks, signed by the earls of Huntly, Angus, and Errol, with a commission to William Crichton, a Jesuit, to fill them up, and address them to the persons for whom they were intended. Kerr was immediately conveyed to Edinburgh, under a strong guard, and being brought before the council and a number of the ministers, the letters found on him were opened, and the whole conspiracy discovered. The king of Spain was to land thirty thousand troops on the west coast of Scotland, where they were to be met by the Catholic lords, with as many men as they could bring into the field. Fifteen thousand of the Spanish troops, accompanied by the lords, were to march directly to England, the remainder were to remain in Scotland, and on being joined by the Scottish Catholics, were to suppress the Protestant religion, or procure full toleration for the Popish faith. The earl of Angus, not knowing of the apprehension of Kerr, came from the north direct to Edinburgh, and was, on his arrival, sent to the castle by the magistrates. Graham of Fintry, an associate of Kerr's, was apprehended a few days after. The privy council and ministers sent letters to James, who was enjoying Christmas at Alloa, with the earl of Marr, lately married to the duke of Lennox's sister,\* to urge his return to Edinburgh. On his arrival, whether peevish at having his amusement interrupted, or vexed that others should have discovered more penetration and care for the country than himself, instead of thanking the zeal and loyalty of the people, he expressed his high displeasure at the presumption of the magistrates of Edinburgh, for en-

\* Sister-in-law to the earl of Huntly.

croaching on his prerogative, in apprehending a nobleman of such high rank as the earl of Angus, and but lately returned from so confidential an employment, without any warrant from him.

A meeting of some of the barons and the ministers was held soon after the king's return, to deliberate upon the proposals to be laid before the next convention of the estates, when it was agreed that it was necessary to bring the traitors, who were in prison, to immediate trial, and to proceed with the utmost rigour against those who were at large, to endeavour to apprehend them, or if this were impracticable, to forfeit them for non-appearance. A deputation from this meeting was instructed to lay the result before the king, and the members were in readiness to go to Holyroodhouse, when some of the king's counsellors strongly opposed their proceeding, alleging that the king was highly offended at the meeting, and detained them, arguing the point for about an hour, till lord Lindsay, whose patience was exhausted at this teasing and vexatious interruption, broke up the conference, by exclaiming, "I will go down with the barons, go who will." On which they all set out for the palace, accompanied by the magistrates, and a numerous train of the inhabitants, anxious to hear the king's decision. When they arrived, only two were suffered to approach the royal presence, where they were lectured in private for an hour and a half. At last the great hall was opened, and the others were admitted. The first salutation they received for this expression of solicitude about the best interests of their king and country, was a reprimand for having met irregularly, and without waiting his summons, in particular, he upbraided the ministers by saying, that when he wished it, they were not wont to obey his call so readily.\* They replied that they had the authority of the privy council for their meeting, and that it was not a time to stand upon forms, when they saw his person, the church, and commonwealth in such extreme jeopardy. And he, upon considering the subject a little more

\* M'Crie's *Life of Melville*, vol. ii. p. 28. Calderwood, pp. 277, 278. See Note, p. 40.

coolly, when the evidence was laid before him, excused them on account of their good intentions, and the magnitude of the danger. The crime, he said, was such as he could not pardon if he would, and the trials should immediately be proceeded in. A proclamation was issued, declaring, that although the pernicious effects of the insidious activity of Jesuits and seminary priests had been made evident, and their introduction or residence in the country, prohibited by many acts and proclamations, yet they continued to remain in the kingdom, and had seduced many of the subjects to apostatize from the religion in which they had been instructed, and to enter into a treasonable conspiracy for introducing strangers into the realm, to overthrow his highness, and all professing true religion, to conquer his ancient kingdom, and ruin the liberty which this country had enjoyed for so many ages, by subjecting it to the slavery and tyranny of that proud nation, which hath made such unlawful and cruel conquests in diverse parts of the world, as well upon Christians as infidels, which conspiracy being discovered by the providence of God, his majesty was determined to bring to trial, and punish the guilty in such a manner, as to be an example to all posterity, and commanded all faithful subjects, who wished to live free in their native land, nor see their wives and children made slaves, in souls and bodies, to merciless strangers, to abstain from all intercourse, under whatever pretence, with Popish emissaries, on pain of treason, and to put themselves in arms, by all good means they can, remaining in readiness to pursue or defend, as they shall be certified by his majesty, or otherwise find the occasion urgent. All ranks concurred in supporting vigorous measures for restoring peace to the country, and confiding in the sincerity of the court, the convened barons and gentlemen offered to raise a guard of three thousand horse, and one hundred foot, to protect the king's person, and to maintain them as long as any necessity existed, but under condition that it should not be drawn into a precedent, or used in any manner prejudicial to the liberty of the realm. The offer was accepted, and the array of the country was ordered to meet the king at Aberdeen, on the 20th of February.

Before the king set out for the north, Graham of Fintry

was brought to trial, and, as generally happens with the inferior agents in cases of abortive treason, was condemned to suffer the sentence of the law, in order to appease the people, and executed accordingly on the 10th of February. On the night of his execution, a placard was affixed in a conspicuous place of the city, asserting, that all the preparations and appearances would end in nothing, for the greatest criminals had been allowed to escape by connivance of the court. The king, at the appointed time went north, and was met by a number of the noblemen and gentlemen, who joined in a bond for the defence of religion, his majesty's person and government, and the liberty of the country, against thralldom of conscience, and the domination of strangers, especially against the authors of the late treasonable conspiracy, whom it enumerates, and also adds, those who were guilty of the late wilful fire-raising at Dunibersle, and the murder of the earl of Moray. In the same bond, his majesty promises, on the word of a prince, that he will neither grant favour nor pardon to any of the earls, without the special advice, and consent of the lieutenant and commissioner for the time, and six of the principal barons at least subscribing the said bond.\* Angus, who had contrived to procure his liberty by the connivance of his keepers, before the king left Edinburgh, went directly north, and joined Huntly and Errol. They all, upon hearing of his arrival at Aberdeen, left their places of residence, and retired to the mountains, but sent their ladies to intercede for them with his majesty, and present him with the keys of their castles, which they had in charge to surrender. The king received them courteously, and told them that if their husbands would appear and stand trial, they should suffer no wrong, but if not, the crime with which they were charged, involved so deeply the safety of the state, that it was out of his power to prevent the law from taking its course. Then placing garrisons in their castles, and appointing the earls Athol and Marischall

\* Robertson represents this Bond as forced upon the barons by the king, *Hist. of Scot.* book viii. From its tenor, it is more likely that it originated with the former, and shows distinctly that the Protestant nobles in the north entertained the same low opinion of his majesty's sincerity, as the barons and ministers in the south.



his lieutenants in the north, he returned to the capital.\* But so little confidence could his own council place in him, that they passed an act, forbidding any one to solicit his majesty in favour of the conspirators, and authorized his chaplains to administer an oath to his domestics, that they would not intercede with him for indulgence or pardon to any who had been connected with the plot.†

A few days after the king's return from the north, lord Burgh, or Borough, arrived from the queen of England upon an especial embassy, to congratulate him upon the discovery of the conspiracy, and to offer her assistance in pursuing, and punishing those who were liable to be tried capitally. She reproached him with his former remissness, and urged him to act with the decision becoming a king, and if he could not apprehend the persons, at least to confiscate the estates of the criminals, by which he would render them unable to give him further disturbance, and would increase the revenue of the crown, and she wished particularly, to be acquainted with his resolutions on this point, that she might be able to inform her allies of the measures adopted in the two kingdoms, for defeating the projects of Spain, a subject interesting to all Protestant princes. James thanked the ambassador for her majesty's friendly communication, and desired him to assure her, that he had made a beginning, and was fully resolved to prosecute the guilty with the utmost rigour; but at the same time, he wished her to reflect upon the danger of his having so many powerful noblemen in a state of rebellion, and the difficulty of pursuing them in their fastnesses, and among the barren wastes where they lurked, and he had no doubt but she would send him a supply of money, to enable him to subdue them, as it was more dangerous for her kingdom, that the Spaniards should obtain a footing in Scotland, than in either France or the Low Countries, both of which she had liberally supplied. Borough then represented to his majesty, that as he had so many other rebels to contend with, and Bothwell had already suffered considerable punishment, it might tend to lessen his difficulties, if he would consent to accept his sub-

\* Spotswood, p. 392.

† Calderwood, p. 284.

mission, and again receive that nobleman into favour. But the king would listen to no proposal in Bothwell's favour. He said, if the queen had any regard for him, she, so far from interceding in behalf of one who had been guilty of such unpardonable offences, would allow him no refuge in her kingdom. He again desired the ambassador to assure his royal mistress, that he would bring the Popish lords to trial, and dismissed him.

It soon appeared, however, that the suspicions entertained of the king were well founded, and that, notwithstanding all his promises, professions, and oaths, he had no intention of proceeding to extremities with the three earls. He could not avoid summoning a parliament, but before it met, Kerr had escaped, and the most material witness being thus removed, nothing was done against them, as full legal evidence could not be produced. Surrounded with difficulties, and without any minister in whom he could confide, James, at this juncture, proposed to recal lord Thirlstane, and that minister having yielded up the contested lordship of Musselburgh to the queen, was about to resume his situation at court, when the duke of Lennox, the earl of Athol, lord Ochiltree, and all of the name of Stuart, in order to prevent it, combined to bring back Bothwell, also a Stuart, and an enemy of the chancellor's, and endeavour to restore him to the king's favour.

Two days after the dissolution of parliament, when the noblemen were all admitted without restraint to the palace, to take leave of the king, Athol invited Bothwell to a house which he occupied near Holyroodhouse, and his lady, early in the morning, taking Bothwell and John Colvil, one of his followers, along with her, entered the royal apartments, as if to bid the king farewell. The king, who was in an adjoining closet, came out, and when he saw a number of armed men standing, attempted to get to the queen's chamber, but the door being locked, he cried aloud, Treason ! Treason ! Upon this, Bothwell falling on his knees, entreated mercy. Nay, said the king, whose spirit was roused by the insult, you have betrayed me, and sitting down in a chair, bade him strike, and finish his treason ! Bothwell, still on his knees, protested in the most solemn manner, that he only came there to beg

pardon, and to submit entirely to his majesty's pleasure. The king replied, it was not the manner of suppliants to come with arms in their hands, but the earl of Marr, and Sir William Keith entering during this conversation, the king, who perceived himself entirely at the mercy of Bothwell's adherents, grew calmer, and when a number of the citizens of Edinburgh, who had heard of the disturbance, were led by their provost, to attempt the king's relief, he, by Marr's advice, addressed them from a window, and thanking them for their promptitude in coming to his assistance, desired them to return to their homes, and await his orders. For some time Bothwell behaved humbly, and endeavoured to ingratiate himself with his sovereign, offering to stand trial for the accusation of the witches, which had been the origin of the whole troubles, and as to every thing else, he threw himself upon his mercy, and would only plead in extenuation, the extremities to which he and his friends had been driven, and which led him to commit misdemeanours, he would not now attempt to defend. But perceiving that his submission produced no effect, he altered his tone, and let fall some threatening insinuations, which so alarmed the monarch, that through the mediation of the English ambassador, he signed a capitulation, and promised, on the word of a prince, to perform it. By it a full pardon was to be granted to Bothwell and his friends, for all past misconduct, attempts upon the king's person, or contempt shown his authority, and all their forfeitures were to be reversed, a ratification of which was to be procured in parliament. The chancellor, lord Hume, the master of Glammis, and Sir George Home, were to be dismissed the king's council, and forbid his presence, and Bothwell and his friends to be esteemed good subjects, and treated as if they had never offended.

Extorted agreements, under whatever sanctions they may have been concluded, are never to be depended upon, and unless Bothwell or his friends could have kept the king in a state of complete bondage, it was not to be expected that the late arrangement would be lasting. He was now of an age that did not admit of his being long held in unwilling constraint, and he had with difficulty, when really a prisoner,

signed the articles, evidently from a desire to obtain a little more liberty, and with an intention of never observing them, for the negotiations had been protracted nearly three weeks from the time of the surprise, and the very next day after he agreed to the stipulations, he set out for Falkland. Lennox, and some others of the faction, accompanied the king, on purpose to prevent the former members of his government from obtaining access to him, and Bothwell in the interim, was tried, and acquitted from the charge of having imagined the king's death, by consulting with witches. But all their efforts were in vain, the bondage was too irksome, and James was determined to break it, although by a step yet more humiliating than the constraint itself. Under pretence of settling some disturbances that had occurred on the Highland borders, he called a convention of the nobles at Stirling, and by some want of dexterity on the part of Bothwell's friends, not very easily accounted for, they allowed themselves to sink into a feeble minority at the meeting. Some few observations having been made about the state of the Highlands, and the means of tranquillizing them, at opening, as the business for which the nobles had assembled, the king interrupted the desultory conversation. He had summoned them, he said, to lay before them a subject that interested himself personally, and as it nearly touched his honour, he begged their advice. Then enumerating all the indignities he had suffered from Bothwell, from the first to this last attempt, he asked whether they thought the conditions binding, which had been extorted from him by those who undertook to mediate, and which he declared he had only granted under the influence of fear. The convention gave as their opinion, that the king was not bound by the conditions thus granted; that the deed of Bothwell was treasonable, and the pardon depended entirely upon his good pleasure. Gratified by this declaration, the king replied, that for the sake of peace he would, now that he was at liberty, grant a pardon, if it were humbly sued for, but he wished the convention, by a public act, to declare the whole transaction unlawful, which they did.

Intimation of this act was immediately sent to Bothwell, and he was allowed till the 20th November to make his sub-

mission, after which he should withdraw himself out of the kingdom, to such part beyond seas as his majesty should appoint. At first, Bothwell appeared willing to acquiesce in the conditions, but upon learning that his most inveterate enemies were received into the king's most intimate favour, he attempted to revive his league with Athol and Montrose, and to obtain by force, an unconditional ratification of his pardon, if not the fulfilment of the former stipulations; but the king being on his guard, Athol retired quietly, and Montrose, on being made prisoner, excused himself, while Bothwell, frustrated in raising a new commotion, fled to the borders, and was denounced as a rebel.

Disappointed and grieved at the issue of the king's northern expedition, the ministers were still more incensed at the bold and insolent boasting of the Popish lords, who vaunted that they would soon oblige the heretics to return into the bosom of holy church, and the synod of Fife happening to meet at the time, they appointed a solemn fast on account of the impunity granted to murder and treason, and the consequent audacity, open blasphemy, and increased activity of the enemies of the Protestant cause; and they named a committee to wait on the king, and represent to him the danger of countenancing and favouring Papistical traitors; they took, likewise, measures for assembling a convention of the commissioners from the different counties, in Edinburgh, to deliberate on the perils of the time; and the more to mark their dissatisfaction at the leniency of the court, and their detestation of crimes which shook the whole frame of society, and loosened the bonds of good order and subordination in Scotland, then at best but frail and ill jointed, they, after grave deliberation, excommunicated the three earls and their adherents; they also ordered the excommunication to be communicated to the neighbouring provinces, that it might be circulated as extensively as possible throughout the nation.\*

\* This excommunication has been considered as irregular, as none of the conspirators resided within the bounds of the synod, or were subject to its jurisdiction, Robertson, book viii. The synod rested their claims of jurisdiction on the following grounds; that many of the conspirators had been students at St. Andrews, and had had communion with that kirk; that the earls

When the king heard of these proceedings, he was highly incensed, and sent for Mr. Robert Bruce, wishing him at least to prevent the publication of the sentence in Edinburgh, and when he informed him that that was beyond his power, the king uttered a threat against the discipline of the church, which showed his rooted enmity, and which circumstances, unfortunately, afterward enabled him to display more banefully. From the church he turned to the most popular barons, whom he endeavoured to gain over to an approval of his scheme, but here too, he was unsuccessful.\*

Finding that his measures were universally disapproved of, the king, before setting out upon an expedition to the borders, to pursue the laird of Fernihurst for resetting Bothwell, and in which he was accompanied by lord Hume, renewed his promise to the ministers of Edinburgh, that he would show no favour to the Popish lords; yet, on that same day, before he had marched above a dozen of miles, did he receive them

of Angus, Errol, and lord Home, were married, made a profession of faith, and subscribed the articles of communion within the province of Fife, and that, when the murder of the earl of Moray had been committed by the earl of Huntly, the laird of Auchendowne, and Sir James Chisholm, the general assembly advised them to be excommunicated by the synod of Fife. They, therefore, considered them all as persons who had either become subject to the jurisdiction of the synod, by frequently communicating with the churches under their charge, or, as having committed crimes within their bounds, over which the synod had authority to take cognizance. Calderwood, pp. 290, 291.

\* A curious conversation between the king and lord Hamilton on this subject has been preserved. James paid a visit to Hamilton house, for the purpose of sounding that nobleman's views. He introduced the conversation by saying, that he was confident he enjoyed the friendship of his lordship, notwithstanding any reports which had been circulated to the contrary. "Ye see, my lord," continued he, "how I am used, I have no man in whom I may trust more than in Huntly; if I receive him, the ministers will cry out I am an apostate from the religion, if not, I am left desolate." "If he and the rest be not enemies to the religion," said his lordship, "ye may receive them, otherwise not." "I cannot tell," replied his majesty, "what to make of that, but the ministers hold them for enemies, always I would think it good they enjoyed liberty of conscience." Upon this, lord Hamilton exclaimed, "then Sir, we are all gone, we are all gone. If there were no more to withstand them, I will withstand." The king, perceiving he had gone too far, on the approach of his servants put an end to the conversation, saying with a smile, "My lord, I did this to try your mind!" Calderwood.

into his presence, and make the most friendly arrangements for hastening on their trial, in such a manner as to secure an acquittal. By arrangements with some persons about his majesty, if not with his majesty himself,\* the earls, Angus, Huntly, and Errol, were apprized of the king's route, and judging, from his open, marked condemnation of the synod of Fife's proceedings, that they would find him propitious, they met him at Fala, threw themselves upon their knees before him, and in the language of suppliants, entreated him not to condemn them unheard, offering to enter ward whenever, and at whatever place, his majesty should be pleased to direct. Such of the council as were present were favourable, and they were ordered to repair to Perth, and remain there till proper arrangements could be made for bringing them to trial.

The convention of commissioners assembled in Edinburgh a few days after this interview had taken place, and a deputation, consisting of James Melville, Patrick Galloway, Napier of Merchiston, the laird of Calderwood, and three burgesses, was immediately despatched to Jedburgh to lay their representations before the king. The deputies were instructed to complain of his allowing an excommunicated Popish lord to attend his person, of having admitted the rest to his presence, and of such arrangements having been made as were calculated to defeat the ends of justice; and to request that the time and place of trial might be altered, or, if he would not alter the day, that the professors of the truth should be allowed to guard his person, and pursue the lords to the uttermost, as they were determined to perish, rather than that these traitors should be permitted to remain in the country. James, irritated at these demands, spoke at first in a high tone, refusing to acknowledge an assembly that had met without his permission; and though it was urged that they had his repeated consent by proclamation, his majesty would not concede the point of form, but persisted in refusing to hearken to them in their collective capacity, though by an evasion agreeably to his general policy, he consented to answer their petition, and

\* James solemnly protested before God, that he did not know of the approach of the three earls; but there is no confidence to be placed on his declarations, and all presumptive evidence is against him.

explain his conduct to them as individual subjects. The earl of Hume, he said, would, in a few days, satisfy the church, which if he did not, he should be forbid the royal presence; the lords, he averred, had been introduced into his presence without his knowledge, and he could not refuse to them what he would not have refused to the meanest person in his dominions—a fair and equitable hearing; but the day of trial he had himself, upon consideration, perceived to be too short, as he had also seen that Perth would not be altogether convenient. He had, in consequence, appointed a meeting of the estates to be held at Linlithgow the last of the month, by whose advice he would be regulated as to the future proceedings. He could not, however, help expressing his surprise that the ministers, who had so often complained of his delaying to bring the earls to trial, should now be themselves so urgent for delay. But, however, he was resolved to do his duty, and see that the trial was fairly conducted. On being reminded of his own declaration, that “the crime was above the reach of his power to pardon,” he answered, he would take care of that; and when they repeated their offer of guarding his person, he replied, he would choose his own guard, and wished none to come uninvited. This answer did not tend to allay the anxiety of the commissioners, and they resolved not to relax in their exertions.

The king, on his return to Edinburgh, fearing that, by some decisive step, they might endanger his temporizing policy, issued a proclamation, exculpating himself from any tardiness in proceeding against the Popish lords, which he attributed to the treasons of Bothwell, and the state of the country, having prevented him from proceeding in that business as he had intended; but now that he was free, he had summoned a convention of the estates to consider of the most proper methods to be taken for bringing these lords to trial, maintaining the true religion, and preserving the tranquillity of the country; and therefore prohibited all convocations of his subjects, under pain of being considered seditious, and if any had already met, commanded them to return to their houses.

The convention of estates met at Linlithgow, but was very thinly attended, and the petitions and representations of the



Popish lords were remitted to a committee, to meet at Holyroodhouse next month, with the officers of state, and their determination to have the force of an act of parliament. Six of the ministers were allowed to be present, and confer with them if they should desire it.

Previously to the meeting of this committee, offers were made by the lords to give satisfaction to the church and the king's majesty; and the king, when they met, made a long speech on the danger of proceeding to extremities with noblemen of such influence and power. After a show of deliberation, an act, termed an act of abolition, prepared by the council, was brought in and sanctioned. This act declared, and by irrevocable edict ordained, that the true religion, established in the first year of his majesty's reign, should be the only religion professed in the kingdom, and forbade the receiving or resetting of priest or Jesuits, under the penalties enacted by law; that such as had never professed, or had declined from their profession, should either conform to the established religion before the 1st of February, or depart from the realm, to such parts beyond sea as his majesty should direct, not to return till such time as they had resolved to embrace the truth, and satisfy the church, but to retain full and legal possession of their estates; that all process against the earls of Angus, Huntly, and Errol, the laird of Auchindowne, and Sir James Chisholm, on account of the intercepted letters or correspondence with Spain, be dropped; that such of them as should profess the reformed religion, and remain in the country, should find security to remain in their profession, and abstain from any intercourse with Jesuits; while those who went abroad, were to find security that they would not engage in any intrigues with foreigners against the welfare of their country; and the 1st of January, 1594, was fixed as the day on which they were to declare their resolution respecting which of the alternatives they meant to accept, otherwise they should lose the benefit of the act.

While the king was engaged in manœuvring with the Popish lords, the south-western districts were ravaged by a civil war, between the Maxwells and Johnstons. Johnston, in the month of July, had committed great depredations on the lands

of Sanquhar and Drumlanrig, and killed eighteen persons, who had followed the marauding party to try and recover some of their cattle. A commission was, in consequence, sent to lord Maxwell, the warden, to pursue and punish the criminals. Previously to this, he had entered into a bond with the chief of the Johnstons, for mutual aid and offence; which lords Sanquhar, Drumlanrig, and the other proprietors of that district, fearing would prevent his faithfully discharging his commission, and knowing his fondness for power, waited upon him, and offered to assist him with their whole forces in repressing the influence of the Johnstons. Maxwell, thinking this a good opportunity for securing his preponderance in Nithsdale, embraced the offer, and a bond was signed with them, and a number of the other clans in the neighbourhood. The news of this association reaching Johnston, he entered into a counter alliance with the Scotts, the Elliots, and the Grahams. The feud being now openly avowed, Maxwell levied forces, and placed a company of foot in Lochmaben, to await his arrival in Annandale. Johnston, who had heard of this, suddenly attacked the party, and dispersed them with the loss of their captain, and several soldiers killed. A number of those who fled took refuge in a church, but it being set fire to, they surrendered. Maxwell, roused at this intelligence, and eager to wipe off the disgrace, hastily assembled about two thousand men, and entered Annandale with displayed banners as the king's lieutenant, with the intention of destroying Johnston's castles of Lochwood and Lockerby. Johnston, who was inferior in numbers, made use of a border stratagem; he placed a strong body in ambush, and sent out a few stragglers to insult and provoke Maxwell's men. The ruse took, and a number of lord Maxwell's followers pursued the decoys, and fell in with the concealed party, by whom they were driven back in disorder on their main force, and threw them into confusion. Johnston, who stood with the remainder of his troops upon a rising ground, observing the issue of the skirmish, as soon he saw his enemies giving way, rushed down upon them, and completed the rout. Lord Maxwell himself was slain in the chase.

The act of abolition pleased no party. The Protestants were dissatisfied with the lenity shown to the lords, and began to suspect the king as cherishing an affection for them, on account of his partiality for their principles. The earls devoted to the Romish faith, in the real spirit of that religion, refused to be contented with any thing short of complete ascendancy, and, buoyed up by the hopes of foreign aid, carried on their correspondence with Spain, and allowed the time appointed for accepting the offered terms to expire, without making any advance towards a reconciliation. On the 18th of January, a convention of the estates met, and pronounced them to have forfeited the benefit of the articles; and the king, after having used every means to persuade them to submit, was reluctantly forced to require them by proclamation, to surrender themselves to stand trial; but none of them chose to obey.

Elizabeth, whose vigorous government exhibited such a contrast to the king-craft of James, was greatly displeased at his unaccountable proceedings with the nobles, and sent lord Zouche to represent to him the danger to which he exposed himself by his false clemency, and expostulate with him on the violation of the repeated promises he had made to her, to come to no agreement with the rebels without her concurrence. James, who was not fond of being urged upon this point, behaved at first rather distantly to the English ambassador, nor did the asperity with which he executed his commission render him more agreeable, but as the friendship of the English queen, in his present situation, was absolutely necessary, he renewed his promises of prosecuting the lords to the utmost, and the recent act of the estates, together with the royal proclamation, gave some weight to his assurances. Zouche, in consequence, represented to his court that the Scottish king was now sincerely determined to proceed with vigour, and intimated, at the same time, that a little supply of money would be requisite to enable him to raise a force sufficient to restore tranquillity to the kingdom; but Elizabeth, not quite so credulous as her ambassador, returned evasive answers to the pecuniary demands.

Not long after, the English ambassador, although he had

declared himself satisfied with the conduct of the court, engaged in intrigues with the discontented nobles, which could only serve to increase the difficulties of James, and obstruct his operations against the northern lords. Bothwell, whose restless, ill-directed spirit, kept the nation in continual turmoil, now professed himself a defender of the cause of the reformation, and there are strong grounds for suspecting that he was instigated in his rash attempts by Elizabeth, at least, it is sufficiently plain, that he was encouraged by Zouche. Having collected about four hundred horsemen on the borders, Bothwell came unexpectedly to Leith on the 2d April, about three o'clock in the morning. Lord Hume arrived on the same morning, with not much more than half the number, but he was ordered immediately to march against the earl. The king, who remained at Edinburgh but poorly attended, went to the High church, and after sermon addressed the people. He promised to pursue the excommunicated lords, if they would at the present emergency assist him against Bothwell, and, if it should please God to give him the victory, he would never rest till he had inflicted exemplary punishment upon Huntly and the others. The citizens, encouraged by their ministers, ran with alacrity to arms, and James, accompanied by them on foot, with some artillery he had ordered to be brought from the castle, took post in Burrough moor. As soon as Bothwell learned the movements of the king he left Leith, and was proceeding by the back of Arthur's seat for Dalkeith, when he encountered Hume, and charging him briskly, easily put him to flight;\* but too eager in the pursuit, his horse fell under him, and he was so much bruised that, unable to follow up his success, he retired to Dalkeith, and next morning dismissed his forces, and was conveyed himself to a place of safety. Although the king had received such undoubted proof of the loyalty and affection of the ministers upon this occasion, yet because Bothwell had pretended that he took arms in the popular cause, to drive from his majesty's councils those who favoured the emissaries of Rome,

\* Calderwood affirms that the king, when he heard of the defeat of lord Hume, "came riding into Edinburgh at the full gallop," p. 299.

and a rupture with England; and had insidiously spread rumours that he was secretly aided by the ministers; such was the obliquity of James' feeling on this subject, that he readily entertained suspicions of their conduct, and did not hesitate to accuse them publicly of abetting his enemy. The court faction propagated a still more base report, that money, collected to assist the suffering church of Geneva, had been applied in raising soldiers to assist this desperado.\*

Upon the defeat of this attempt, James despatched lord Colville, and Bruce, commendator of Kinless, to Elizabeth. In his letter he took occasion to vent his spleen against lord Zouche, who, "although commended by her for a wise, religious, and honest man," "was, in his opinion, fitter to carry the message of a common herald, than manage a friendly correspondence between neighbouring princes;" for "he had seen nothing in him but pride and wilfulness," and he retorted the accusation of breach of promise against "his loving sister," by reminding her of the many solemn declarations she had made, both in letters written by her own hand, and by her ambassadors, that she would give no protection to Bothwell, yet he had not only been suffered to reside in England, but had received a considerable sum of money from her sub-

\* The king charged the ministers, in a conference he had with them and the magistrates, for their treasonable silence with regard to Bothwell, while they were so urgent against the Popish lords; and in particular, named Bruce, as conspiring to place the crown on Bothwell's head. Bruce demanded the names of his accusers, and after much shuffling, the king mentioned the master of Gray, and one Tyrie, a Papist; but Gray denied that he had given any such information, and offered combat to any individual—his majesty excepted—who should affirm he had defamed that minister. Spotswood has recorded the slander against James Melville, minister of Anstruther, of perverting the use of the collections, and it is difficult to believe that he did not do so intentionally, as it was a public fact, that the assembly had received the receipts for the monies transmitted, also a letter of acknowledgment from Beza; and, besides, the character of Melville was of itself a guarantee for the faithful application of the cash delivered to his care. In his diary, alluding to the accusation of being connected with Bothwell, he says:—"I never had ado with him directly nor indirectly; yea, after good Archibald, earl of Angus, I knew not one of the nobility of Scotland with whom I could communicate my mind, touching public affairs, let be to have any dealing by action."—Calderwood, p. 299.

jects, to enable him to carry on his treacherous attempt in Scotland. He could not think this was done with her knowledge, it was so great a breach of princely honour; but how it could be concealed from her, he could not imagine, it was so unlike the penetration and prudence that distinguished her government. In his public despatches he informed the queen, that as the Popish lords had not embraced the conditions he had offered, he would show them no more indulgence, and instructed his ambassadors to repeat his request for a little money to assist him. Elizabeth felt his reproaches, and made a feeble attempt at apology, but assured him she would no longer allow Bothwell to find an asylum in her dominions, a promise she faithfully kept. The application for money was, as formerly, unsuccessful.

Hardly was Bothwell put down, when the country was alarmed with more serious dangers. A vessel arrived in the north with despatches from Philip, and a supply of money, and the assembly, at this time the only court in the country that watched over the public welfare with unremitting attention, immediately took the alarm, ratified the excommunication pronounced by the synod of Fife, and sent several of their most active members to Stirling, where the king then was, to represent the danger of the country, and suggest such remedies as the exigencies of the times required. The king replied, that he would attend to their suggestions, and in return, sent Sir Robert Melvin, and Hume of North Berwick, to the assembly, to remind them of their duty.

Tremblingly alive to any thing that seemed to trench on the shadow of his prerogative, while he remained apparently insensible at proceedings that threatened the essence of his power, he protested, by his commissioners, that the royal prerogative should not be prejudged by the convening of the assembly; desired that they would enforce their resolution against speaking irreverently of his majesty in the pulpit, and censure John Ross, who had not paid attention; that they would excommunicate Andrew Hunter, the *first* open traitor of their function who had joined with Bothwell; and enjoin all their ministers to dissuade their congregations from concurring

with the treasonable attempts of the said Bothwell, or other traitors. With these demands the assembly complied.\*

Parliament met in the beginning of June, but after waiting for some days, there were scarcely as many attended as was requisite to carry on the public business, fear or affection having detained a great number of the nobles at home. They proceeded, however, to pronounce the most rigorous sentence of the law on all concerned in the late conspiracies, who were declared guilty of treason, their estates forfeited, and their banners torn at the public market place. Several severe acts were likewise passed against Papists. The chief difficulty, however, remained, how to carry these acts into execution. The personal influence of the king was at a very low ebb, his professions could obtain no credit, and his exchequer was empty. His first resource was Elizabeth, and he, immediately upon the rising of parliament, despatched Sir Richard Cockburn to request her assistance, while he himself proceeded to Stirling, to celebrate the baptism of his first son, Henry, prince of Scotland, whose premature grave was watered by a nation's tears, and the only one of his male descendants who was universally and unequivocally mourned.†

\* In the proceedings of this assembly is mentioned a singular superstition prevailing in Garioch, of setting aside a certain portion of every farm to the devil. "Anent ye horrible superstition which prevailed in Garioch, and dyvers pairs of ye cuntrie, in not laboring a parcel of ground dedicat to ye devil, under ye name of ye Guidman's Crofte, ye kirk, for remedie yerof, hes found meit yat ane article be formit to ye parliat. yat ane act may proceed from ye estattes yerof, ordayning all persons, possessors of ye said lands, to cause labor ye samen, betwix and a certain day to be appointed yerto, utherways, in caise of disobedience, ye said landes to fall in ye kingis handis, to be disponsit to sick personis as pleises his maj. wha will labor ye samyn."—Cook's Hist. of the Ch. of Scot. vol. ii. p. 41.

† "The next month passed in receiving the ambassadors come to assist the baptisme, which, in the latter end of August next, was performed with great solemnity. From England the earl of Sussex was sent; the king of Denmark, the duke of Brunswick, Megelburgh, with the estates of the United Provinces, had their ambassadors present; but from the French king there came not any, though they also were expected at the day appointed for the solemnity. The prince was brought from his own chamber to the queen's chamber of presence, and laid in a bed dressed in a most stately form. The ambassadors entered into the chamber. The countess of Marr, accompanied with a number of

Next month was spent by the court in festivities, in receiving the foreign ambassadors, and in preparations for the ceremony, which was performed with great magnificence, in the end of August, by the bishop of Aberdeen, a circumstance noticed as marking the alienation of the king's mind from the presbyterians, and indicative of his having even then formed the idea of restoring prelacy.

ladies, took up the prince, and delivered him to the duke of Lennox, who presented him to the ambassadors. Sussex, as having the first place, received him, and carried him in his arms to the chappell, the rest marching in their ranks, and followed by the ladies of honour, the mistresse, nurse, and others of inferior note. Before them went the lord Hume, carrying the Ducal crown; the lord Levingston carried the towel or napkins; the lord Seaton the bason; and lord Semple the laver. Above the English ambassador there was a pale or canabie, [canopy,] borne by the lairds of Cessfor, Buccleugh, Duddope, and Traquier. The prince's train was sustained by the lords Sinclair and Urquhart. In this manner they walked toward the chappell, a guard of the youths of Edinburgh, well arrayed, standing on each side of the way, and the trumpets sounding. Being entered the chappell, the king arose from his seat, and received the ambassadors at the door of the quire, and then was the prince delivered to the duke of Lennox, who gave him to the nurse. After which, the ambassadors were conveyed to their places, ordered in this manner:—Upon the king's right hand was a chair set for the French king's ambassador, but this was empty; next to him the ambassador of Denmark was placed; on the left, the English ambassador and Legier did sit, and after them, the ambassadors of Brunswick, Megelburgh, and the States. Every chair had a tassel board covered with fine velvet, and the ambassador of England, besides the others, had office men standing by him to wait. The service did then begin, and upon the end thereof the English ambassador arose, and presented the prince to the bishop who was appointed to administer the sacrament; this was Mr. David Cunninghame, bishop of Aberdeen. The action finished, Mr. David Lindsay, minister at Leith, had a learned speech in French to the ambassadors; after which, they returned to [from] the chappell. Then was the prince laid upon a bed of honour, and his titles in this sort proclaimed by the lyon herald:—Henry Frederick, knight and baron of Renfrew, lord of the Isles, earl of Carrick, duke of Rothsay, prince and steward of Scotland. This done, certain pieces of silver and gold were cast forth at a window among the people, and a number of knights created at night, for it was in the afternoon the baptisme was ministered. The ambassadors, with their train, and the noblemen present, were royally feasted, nothing lacking that was required to such a triumph. The rest of the month was spent in plays, running at tilt, and such other exercises as might give delight to strangers.”—Spotswood, pp. 406–7.



No sooner were the ambassadors dismissed, than the king's direction was forcibly attracted to the north. Elizabeth could not by any arguments be induced to trust James with the money requisite to enable him to put his forces in motion, and the forfeited earls, in the interval, were strengthening, by new alliances, their already formidable power. Bothwell had now joined them, and his restless spirit projected a new plan for seizing once more the king's person, and committing him to Blackness castle, to be kept there in captivity till the lords could come south, and dictate their own terms. By the apprehension of one Orme, a servant of Bothwell's, the whole was discovered, and he, agreeably to James' method of punishing the minor culprits, together with the keeper of Blackness castle, was executed in the High-street of Edinburgh. In this alarming state of affairs, the king issued a commission to the earls of Argyle, Athole, Forbes, and a number of barons, who were at enmity with the excommunicated lords, to attack their estates, and take possession of their castles; but Argyle pleaded youth, and the rest declined, till some of the ministers adding their exhortations to the king's orders, Argyle took the field about the end of September, and marching across the mountains to Badenoch, laid siege to the castle of Ruthven; but on the advance of the earls, he retreated to near Drimmin, to wait the arrival of lord Forbes, and the M'Kenzies, who were hastening to join him. Huntly, apprized of the advance of these re-enforcements, although inferior in number, and Argyle advantageously posted, determined to attack him before Forbes should arrive; and dividing the forces, which were about nine hundred in all, into two bodies, marched from Strathbogie to Auchendowne, Errol leading the van. When Argyle perceived the enemy approach, he left his camp, and proceeded to occupy the neighbouring hills, which he did without molestation. He there drew up his army, amounting to nearly ten thousand, in three divisions. M'Lean of the Isles commanding the van, and Argyle himself the rear, which occupied the heights, while his flanks were defended by bogs and precipices. M'Lean was ordered to begin the attack, but Huntly had with him some pieces of artillery, which he opened upon his line as he advanced, and

the Highlanders who composed it, astonished at the sound and effect of the cannon, with which they were totally unacquainted, fell flat on their faces, and could with difficulty be persuaded to rise during the firing of the ordnance. Errol, who perceived this, advanced briskly to attack them in rear, but from the nature of the ground, was forced to make a circuit, during which, the Highlanders got time to rally their spirits, and resuming courage, poured in a flight of arrows upon them, which did considerable execution, killed Auchindowne, and severely wounded Errol, then surrounding Errol's band, threatened to annihilate them; when Huntly perceiving their peril, advanced with his division, and after a hard struggle of two hours, succeeded in throwing the first line into confusion, and the others, struck with trepidation, fled, notwithstanding all the exertions of Argyle, a gallant youth, then only eighteen, who was borne off the field, weeping with indignation at the disgrace of his clan. M'Lean, with a few of the Islanders, stood firm amid the general confusion, and retired in good order. Huntly pursued with keenness over crags, which would appear dangerous to a man on foot; nor did he stop till the almost perpendicular rocks forbade the advance of cavalry. In this battle, generally known by the name of the battle of Glenlivet, Argyle lost Campbell of Lochnel, and his brother, M'Niel of Barra, and about seven hundred of his men. Huntly lost his uncle, Auchindowne, and twelve men killed, but a great many were wounded.

The king, who was at Dundee when the intelligence of Argyle's defeat reached him, \* pushed forward, and arrived at Aberdeen. He was joined on his march by the Irvines, Keiths, Leslie, Forbeses, and some of the other clans who were at variance with Huntly, and the earls, who were weakened by their loss at Glenlivet, and the desertion of numbers of their retainers, who would not bear arms against the king in person, fled to the mountains. Still the whole expedition had been frustrated, but for the ministers who accompanied

\* Spotswood, p. 409. Account of the battle of Strathaven, or Balrinnies, printed with Scottish Poems of the 16th Century.

the king. His troops were ready to disband for want of pay, and so little confidence was placed in his majesty's professions, that he could not command the funds necessary to satisfy them, till James Melville was despatched to the south, to raise a contribution. Several of the chiefs also, were willing to spare the castles of the earls, but lord Lindsay opposed so strongly the impolitic forbearance, that the king issued orders for demolishing Strathbogie, a seat of the earl of Huntly's, Slaines castle, belonging to the earl of Errol, and destroyed, or garrisoned the rest of the strength of their retainers.\* Reduced now to the last extremity, and despairing of being able to raise any further commotions, the lords implored and obtained permission to leave the kingdom, and gave security not to return without the king's consent, nor to engage in any designs while abroad, against the Protestant church, or the tranquillity of the kingdom.

Bothwell, who had so often disturbed the peace of the court, and kept the king in a state of such frequent personal alarm, having by his last confederacy with the Popish earls, entirely lost what favour he ever possessed among any of the people, forced to abscond, was shortly after excommunicated, and being denied the protection of England, fled first to France, then to Spain, and afterward to Italy, where, having abjured the Protestant religion, he lived many years in obscurity and indigence, dissipating all the dreams of his early ambition, in low and contemptible debauchery. His forfeited estate was divided among Buccleugh, Kerr of Cessford, and lord Hume. Buccleugh got Crichton, Kerr the abbey of Kelso, and Hume the abbey of Coldingham. Nor could he ever obtain any favour from the king, even upon the most humble submission. On the 3d of October, lord Thirlstane, the chancellor, died, after a lingering illness. In him James lost an able and a faithful minister, who, in a difficult situation, retained the confidence of a changeable prince, without forfeiting that of a justly suspicious people. His death occasioned an alteration in the measures of government, and the church soon felt the consequence of the change. In the commencement of his

\* Calderwood, p. 307.

career, he supported the detested administration of Arran, but he soon perceived the mischief incident to a king's professing a religion, or an attachment to forms of religion different from what his people are attached to, and he effected an apparent coalition between the king and the church, which was conducive of the best effects in the most trying times, and which, had it been steadily preserved, would have rendered his majesty happy at home, and respected abroad, but which, being forcibly torn asunder, entailed on him uneasiness and embarrassment to the end of his life, while it exposed the church and state to the most dreadful convulsions.

The year 1595, was marked by the common people as a *black year*. The land was not only distracted by the feuds of the Maxwells in the west, the restlessness of Bothwell in the south, and the more threatening conspiracies of the Popish lords in the north, but afflicted with a dearth, owing to the failure of the harvest, and a general spirit of licentiousness, owing to the relaxation of the laws. From among other instances, which demonstrate the state of misrule in which the country was, I shall notice one. David Forrester, a respectable citizen of Stirling, returning from Edinburgh, was waylaid and murdered by assassins employed by the lairds of Airth and Dunipace, who envied him on account of the influence he had with his superior, the earl of Marr. This nobleman, grieved for the death of Forrester, collected his vassals, and brought the body from Linlithgow—near which the murder had been committed—to Stirling, to be interred, marching in martial array, and exhibiting on a white sheet, a picture of the deceased, with all his wounds, in order to excite the public indignation. After the burial, the earl attempted to bring the perpetrators to justice, but the lords Livingston and Elphinston protecting them, it was found impossible, notwithstanding the king issued his proclamation, commanding the offenders to stand trial, and prohibiting the interference of any party.

All the embassies, promises, and even the late proceedings of James, could not procure him any pecuniary aid from the economical Elizabeth, and his own thoughtless habits, and those of the queen, keeping him in constant penury, it became necessary for him to look more narrowly into the state of his

proper revenue. As he was incapable of doing this himself, he delegated the task to eight gentlemen, from their number named Octavians. To them he gave the powers which had been intrusted to the collector and comptroller's offices, to appoint and discharge all the inferior officers, chamberlains, secretaries, and clerks, the whole command of the exchequer, and the arrangement of the household. He bound himself, neither to add any to their number, nor in case of vacancy by death, to admit any other, except by the advice and approbation of the survivors. No letter of his, alienating any of the property of the crown, or granting pensions, gifts, or licenses, was to be held valid, unless also subscribed by at least five of the eight. All their acts and decisions, were to have the same force as the sentence of judges in civil causes, and they had also power of arresting and distraining upon their own authority, without the interference of any other ordinary court. So full and extensive were the powers granted to this commission, that when the act of council authorizing it, was published, it was remarked, that the king had left himself nothing but the name, and henceforth his subjects could look to him neither for advancement nor reward. Nor was it long before the Octavians engrossed the whole of the executive power into their hands; the only office of importance they did not acquire, was that of the chancellor, which they allotted to the president, but which the king did not dare to confirm, on account of his religion, dreading the effect that appointing a Papist to such a high office might have upon the nation, especially as he knew that the ministers would not suffer it in silence.

This innovation on the constitution of the kingdom, introduced by the indolence of the king, and which amounted, in fact, to the establishment of a power superior to the sovereign, occasioned at first considerable discontent, and was eventually the cause of much mischief. The men to whom such extensive power was intrusted, were several of them known to be attached to Popery, and the church viewed the appointment with a very natural jealousy. The favourites of the court too, eyed them with no pleasure, as restraints upon the bounty of the king, and usurping these pensions or perquisites, which

they thought of right belonged to them, while the old officers of the crown, who had been displaced by them, swelled the ranks of the discontented.

Rumours had been very prevalent during the last year, of renewed preparations by Spain for the invasion of England, and towards the close, it was ascertained that Philip had collected a considerable force, to attempt either that kingdom or Ireland. Upon this occasion, James issued a proclamation—January 2d.—enforcing the necessity of their making one cause with England, and reiterating what was daily enforced upon them, that the conquest of the southern, would involve the subjugation of the northern parts of the island; he called upon them to renounce their barbarous private enmities. In particular, he charged the inhabitants of the borders, under the highest penalties, to desist from all hostile attempts against England, required them assiduously to cultivate friendship with their neighbours, and commanded, that wrongs done the English, should be punished with equal rigour, as those committed against their fellow subjects. Elizabeth, who was no less desirous of maintaining amity, issued similar orders.

An outrage, committed by one of the English under warden shortly after, had nearly interrupted the harmony of the sovereigns, if the different circumstances of the countries had not prevented such incidents being regarded now in so serious a light as formerly. Lord Scroope was warden of the west marches of England, the laird of Buccleugh had charge of Liddisdale. Early in the year, their deputies held a meeting on the banks of the Kershope, a small rivulet that divides England and Scotland, for redressing some trifling disputes. These meetings were wont to be announced by sound of trumpet proclaiming truce, and the truce always continued from the time of meeting, till next day at sunrise, during which, all who had been at them, were considered as privileged men. At this meeting, one William Armstrong, a notorious robber, against whom the English were exasperated, on account of his numerous depredations, attended in company with the Scottish deputy. This man, after taking leave, trusting to the usual customs of the border, was riding securely home, along the course of the Liddel, on the Scottish

side, when he was espied by the English party, who were also returning home, pursued, and after a chase of some miles taken, and brought to the English deputy, Mr. Salkeld, who carried him prisoner to the castle of Carlisle. Buccleugh complained of this breach of truce to lord Scroope, and desired Armstrong to be set at liberty. This Scroope answered he could not do without an order from the queen and council. Buccleugh then applied to the resident at the Scottish court, but obtaining no satisfaction, he laid the case before the king, who demanded from Elizabeth the liberation of the prisoner. To this demand also, no attention being paid, Buccleugh, who now considered both his master's honour and his own as implicated, determined at all events, to set Armstrong free. Learning that the castle of Carlisle, where he was kept, was open to a surprise, he prepared scaling ladders, and instruments for forcing an entrance, and having ordered two hundred horsemen to meet him at Morton tower, about ten miles from Carlisle, an hour before sunset, he proceeded to within a short distance from the town, where he halted in a meadow, and caused eighty of his company to dismount, and leading them himself, went forward to attempt an escalade, but the ladders proving too short, he effected a breach in the old and feeble walls, sufficient for one man to enter, who opened the postern, and admitted the rest. The watchmen, alarmed by the noise, made a little resistance, but were soon overpowered, and kept prisoners, while the assailants proceeded to the chamber where Armstrong was lodged, and breaking open the door, brought him away in triumph. Lord Scroope and his deputy were both in the place at the time of the rescue, and the prisoner as he passed along, insultingly wished them both good night. Buccleugh, when he had gained his object, released the watch, and would not suffer his attendants to touch any of the spoil; his object, he said, being only to vindicate his king's honour. The whole party returned safe, about two hours after daybreak.

The queen of England, when informed of this enterprise, was highly offended, and ordered her resident ambassador, Bowes, to remonstrate strongly with the Scottish court, and demand that Buccleugh should be delivered up; for the sur-

prise of a fortress, and the forcible release of a prisoner from her warden, were affronts which could not be borne. The king replied, that he might with as much propriety, demand that lord Scroope should be delivered up to him, for the injury he had committed, as it was as much an insult to seize one of his subjects unlawfully, as it was for his subjects to release a prisoner who had been unlawfully seized, yet for the sake of peace, he would cheerfully comply with any reasonable arrangements. Buccleugh was in consequence, first committed to St. Andrews, and afterward sent prisoner to England, but was not long detained, the queen being satisfied with this show of submission.

No two means for procuring the same end, could be more diametrically opposite, than those which James and the church proposed, for promoting the peace and security of the state at this juncture. When the general assembly met in the month of March, the king in person proposed, that a general contribution should be levied throughout the whole kingdom, to meet the expences necessary for defending the country against the general enemy. The ministers advised the appropriation of the forfeited estates for that purpose; James meditated the recall of the banished lords; the church insisted upon their being prosecuted to the uttermost. The king contended, that the best method of dealing with them, was to use gentle means; the ministers considered them as incorrigible, and that the only way to render them innocuous, was to render them incapable of doing mischief. With such views, it was impossible there could be much cordial co-operation, and what tended still farther to prevent it, was the impossibility of accounting, upon any principle of common policy, for the persevering lenity of the king, to men who had so often abused his mercy, and were at that moment plotting against the realm: it was, therefore, imputed to a fondness for the principles of the lords, and excited the utmost jealousy with regard to every thing the king did. At this distance of time, we may account for James' conduct, upon principles which do not imply any strong predilection for the church of Rome; we may impute it in part to a wish to conciliate the Roman Catholics, a powerful body in England, and not a despicable party in



Scotland, and perhaps, we do not err much in attributing the greatest weight to the facility of his temper, and the peculiar crafts of his politics; but when we recollect that the Presbyterians required a correctness of moral conduct in the prince, and a decency of manners in the court, with neither of which was the king disposed to comply; that their ministers, with honest uprightness, occasionally reprov'd the irregularities of both, while the Roman Catholics encouraged the laxity of speech and behaviour in which James delighted, and offered no restraint to the licentiousness of his courtiers; and that the Protestants admonished, while the Papists flattered, it is not difficult to believe that though his judgment must have declared against the grosser superstitions of Popery, his kindness must have been all upon that side, and that he felt a partiality for the Catholics, which he did not for the Presbyterians.

Aware of the powerful attraction of a king's example, the ministers dreaded the effects it might have upon the nation, but particularly upon those of their own function, who were more immediately within the sphere of court influence, and in order to counteract that coolness and carelessness which they feared, and awaken that zeal in their profession, which was necessary to ensure the stability of the church, a measure was adopted at this assembly, which was pregnant with the most important consequences.

At the approach of any threatened danger we have seen, in the course of the history, bonds entered into for the preservation of the religion and liberty of the country, and in times of imminent peril, the practice had been productive of the happiest results. It was now proposed to renew these sacred obligations, not by subscribing as formerly, but, after a confession of their own sins and that of the nation, solemnly to dedicate themselves to the Lord, by uplifting their hands. The members of assembly met first in the Little church, on Tuesday 30th of March, at nine o'clock in the morning. John Davidson, minister of Prestonpans, presided on the occasion, and his sermon and prayer, in which he made acknowledgment of sins, with promise of amendment, had so powerful an effect upon the congregation, that they melted into tears, and

before dismissal, rising in their seats, they all lifted up their right hands, and renewed their covenant with God, protesting to walk more circumspectly, and use greater diligence in future. At the desire of the assembly, as many of the ministers were not present, this covenant was renewed in a similar manner by all the synods, presbyteries, and almost all the different congregations in the country, except the sessions of Edinburgh; such ardour and unanimity in the cause were displayed throughout the land. A standing committee was appointed by the assembly to watch the measures of government, and the intrigues of their enemies, who relaxed nothing in their exertions.

What, perhaps, gave rise to this appointment, was the avowed intention of his majesty to bring back the Popish lords. A short time before the meeting, he had communicated this wish to Bruce, and endeavoured to procure his concurrence in some plan by which it might be brought about. Instead, however, of any approach to accommodation, the assembly addressed to him a remonstrance, urging more rigorous proceedings. With this he was highly dissatisfied, and in a subsequent conversation with Bruce, he represented the advantages which would result to him, if the exiles were reconciled, and allowed to come home; that the queen of England was now at an advanced period of life, and if any rival should dispute the succession, he would require the undivided aid of all his subjects; besides, having so many nobles in a state of banishment, while it weakened his strength at home, was calculated to hurt his character with strangers. He therefore thought, if they could be induced to embrace the reformed religion, and acknowledge their errors, without which they should never experience his favour, that no prudent man, or any loyal subject, could be averse to their recall, and wished his opinion on the subject. Bruce frankly owned that there was much force in his majesty's reasons, and that he saw no harm in his recalling Errol and Angus, upon their conforming to the established religion, but Huntly had rendered himself so hateful to the people, that he did not think he could with propriety be pardoned. The king, on the contrary, could see no reason why Huntly should not be received as well as the

others, if he would satisfy the church, and consent to such conditions as he should prescribe; and he was the more anxious for his return, as he was married to his cousin, who he looked upon as his own daughter, and was, besides, the most powerful, and the one who could be of the greatest service; he therefore wished Mr. Bruce to re-consider the subject. At next meeting, the king urged all his former arguments in favour of Huntly; to which Bruce replied, I see, Sir, your resolution is taken to bring back Huntly; if you do, I shall oppose it, but do as you choose, only when he comes I must retire, as we cannot both enjoy your friendship. The king decided to receive the traitor, and to dismiss his friend.

Neglected abroad, the usual fate of unsuccessful rebels, Huntly and his companions were now anxious to return, and presuming upon the disposition of the king, they ventured separately to land in their native country. Huntly, who arrived first, remained for some time in the north, and by means of his friends, forwarded a supplication to the king, praying that he might be permitted to return, promising to reside at whatever place the king chose to appoint, and offering security for his good behaviour. In the month of August, a convention of the principal nobles, with some of the ministers who were thought the most moderate, was held at Falkland, to consider the offers made by Huntly; and the president urging strongly the policy of calling home the exiles, lest like Coriolanus and Themistocles they should join the enemies of their country, it was agreed that Huntly might be received upon certain terms, to be drawn up by the king and privy council, and this resolution was approved and ratified by a convention of the estates held at Dunfermline.

So soon as the resolution to recall the exiled lords was confirmed, the commissioners appointed by last general assembly met at Cupar in Fife, and sent a deputation to remonstrate with the king, who, after a stormy interview, dismissed them with an assurance, that no proposals should be hearkened to from the Popish lords, unless they left the kingdom, and that even then he would show them no favour, until they satisfied the church.\* But, notwithstanding, the design of restoring

\* McCrie's *Life of Melville*, vol. ii. p. 68.

the lords was persevered in. Lady Huntly was invited to the baptism of the king's infant daughter,\* and lady Levingston, a Roman Catholic, was nominated to the charge of the young princess. These ominous circumstances renewed and aggravated the fears of the ministers, and the presbytery of Edinburgh, as had been agreed upon at Cupar, called together the commissioners of the general assembly, who, with deputies from the different synods, drew up a representation, dictated by the most lively apprehensions of danger, which they sent to all the presbyteries, with an earnest exhortation, that every minister, as well in public teaching as in private conference, should impress upon the minds of his people the critical situation of the country; urge a universal personal reformation

\* The following is a copy of one of the royal invitation cards to this princess's baptism, which appears to have been a *pic nic*. "Right trusty friend, we greet you well. Having appointed the baptism of our dearest daughter to be here at Halyrood house, upon Sunday, the fifteenth day of April next, in such honourable manner as that action craveth, we have therefore thought good right effectually to request and desire you to send us such offerings and presents against that day *as is best then in season*, and convenient for that action, as you regard our honour, and will merit our special thanks. So not doubting to find your greater willingness to pleasure us herein, since you are to be invited to take part of your own good cheer; we commit you to God. From Halyrood house, this tenth day of February, 1598.

JAMES R.

Right trusty Friend, the Laird of }  
Balfour, Bethune Elder." } Arnot's Hist. of Edinb. ch. ii. p. 15.

The following epistle forms no bad companion to the above:—"Letter from the earl of Pembroke to Sir Edward Zouch, bears witness. Honest Ned I know you love your master dearly and his pleasures, which makes me put you in trust with this business, myself not being able to stay in the town so late. I pray you, therefore, as soon as it grows dark, fail not to send the close cart to Bassingborn for the *speckled sow* ye saw the king take such a liking unto this day, and let her be privately brought to the man of the wardrobe by the same token, that I chid him for letting the other beasts go carelessly into the garden while it was day, and he will presently receive her into his charge. Some may think this a jest, but I assure you it is a matter of trust and confidence. So assuring myself of your secret and careful performance of it, I rest

Your affectionate Friend,

PEMBROKE."

Lord Hailes' Memorials, vol. ii. p. 50.

upon all ranks, themselves setting the example; intimate anew the sentence of excommunication against the Popish lords, and proceed summarily against all their abettors within their bounds. They also appointed a certain number of ministers from the four quarters of the kingdom, to sit permanently in Edinburgh, along with the ministers of the city, under the name of the standing council of the church, who were to consult and watch over the safety of religion; the expenses of these delegates to be defrayed by the part of the country they represented. This council immediately entered upon its function, and summoned Seaton, one of the Octavians, and president of the court of session, to appear before the synod of Lothian, and answer for his conduct in advising the recall of Huntly. This assumption of power was resisted by the president, who sent some members of the court to represent its illegality, when a compromise was entered into. The summons was withdrawn, and Seaton voluntarily came forward, and cleared himself of having had any share in the obnoxious transaction.

We cannot judge of the propriety of extraordinary expedients, adopted in novel and perilous conjunctures, by common rules, applicable to ordinary times. Under a settled regular government, the formation of such a committee, to dictate to the legislative, and control the executive, would never be tolerated, and would involve a charge of treason, or at least sedition; but the loose, undefined nature of the Scottish constitution, admitted of expedients in times of danger, justified only by necessity, and which never could be allowed as precedents. In this view the proceeding of the ministers may admit of apology, and to estimate its full force, we must never lose sight of the circumstances under which the council was instituted. The whole real power of the kingdom had been devolved upon eight men, a majority of whom were favourable to the Catholic leaders. These leaders had repeatedly been in arms against their country; had corresponded with foreign enemies, and invited them to invade the island; they had been repeatedly pardoned, and always when pardoned commenced anew their machinations. The well grounded fears of invasion had not subsided, and the massacres in the Netherlands,

passing before their eyes, proclaimed the consequences of subjugation by his most Catholic majesty, while the king, who appeared to have no participation in the feelings or the fears of his people, had bestowed his cousin upon the ringleader of the rebels, and was himself suspected of favouring their religious sentiments.

Indolent as he was, the king perceived the critical situation in which he was placed, and endeavoured to escape from it by negotiation. Unfortunately the ministers, estimating their own strength too highly, were inexorable in their demands, and by pushing their pretensions too far, lost their vantage ground. A deputation of the chief officers of state was sent to confer with a select number of the commissioners of the church, and proposed on the part of his majesty, that neither the excommunicated earls, nor any of their abettors, should be received into favour, until they had satisfied the church, and requested to know whether, upon doing this, he might extend to them the mercy of the crown. The council, as a preliminary, required that the earls be sent out of the country, and not permitted to return until they had made their offers of satisfying the church, a condition which his majesty himself had promised, to a deputation of the brethren at Callander, to insist upon; but it was their opinion, that as the earls stood condemned by the law of God, and the highest tribunal of the land, it was not within the reach of the king's prerogative to pardon them. The proposition was then modified, and it was required, whether the church would receive into its bosom the earls upon their sincere repentance and satisfying them? Their reply to this was equally stern as before:—The church would receive them, but always without prejudice of the magistrate's duty! James, fretted at what he considered their obstinacy, openly expressed his displeasure, and their unforgiving disposition, and their dictation were the common topics of his invective. Some of the more moderate of the clergy, who wished to avoid an open rupture with the king, on hearing of the strong disapprobation he expressed, proposed sending a deputation to inquire into the cause, and offer an explanation; but unluckily they took the same opportunity to reiterate their griefs. They found his majesty in no humour

to receive their remonstrances. Their constant railing at him and his measures in their sermons, he told them, had given sufficient ground for his discontent, and there never would be any cordial agreement between them until their marches were rid, and the limits of their jurisdictions properly settled. He required :—That they should not introduce public affairs into the pulpit, or, if they did, they should inform him previously of the nature of the observations they meant to make ; that the assembly should at no time be convened without his authority, and none of their acts be considered binding until they received his sanction, in the same manner as an act of parliament ; and that synods, presbyteries, or sessions, should take no cognizance of any matter within the reach of common law.

It was now evident, that the court meant to bring to issue, the question of the liberty of the pulpit, for, as both the king and the Octavians dreaded the freedom of ministerial reprehension, they were determined to silence it, and as the ministers viewed this liberty as the palladium of the church and state, they were prepared to defend it to the uttermost. When parties are strongly excited, both sides in common proceed to unwarrantable extremities, and their mutual accusations—unconsciously sometimes—are ever exaggerated. The king and the ministers were mutually irritated, and in this disposition of mind, the question at issue was to be tried. Their mutual accusations or representations must, therefore, of course, be received with hesitation, and particularly, as there was a third party, the courtiers, who, without caring much about either, wished to promote the dissension, in order to answer their own purposes of interest or ambition, and invented or coloured a number of stories to inflame the quarrel. Mr. David Black, of St. Andrews, a zealous minister, highly respected by his brethren, was pitched upon as the person whose case was to decide the prerogative of the king, and the rights of the church. He had in some of his discourses, used unguarded expressions, which were carried to the king by spies, or by the interested party, and Black was, in consequence, summoned to appear before the council, “to answer to such things as should be inquired of him at his coming, touching certain indecent and uncomely speeches, in divers his sermons made

at St. Andrews." The ministers, who instantly saw that the blow was aimed at the whole body, and went, as in the days of Arran, to stifle all complaint against measures, however dangerous, or to prevent that publicity, which gives to the complaints of the least powerful, their only strength to resist encroachment, advised Black to decline the authority of the king and council, as the subject was spiritual,\* and at the same time, wrote to the several presbyteries, to warn them of this attack upon the liberties of the church, to exhort them to unanimity, and to study diligently the points under dispute, and directed two of their number to collect all the acts of council and parliament, passed in favour of the liberty and discipline of the church.

Black, in obedience to the summons, appeared November 10th, when the council, wishing to obtain simply a general recognition of their power to judge in cases of freedom of speech in the pulpit, restricted the libel to a charge, which it was imagined, would not come within the term spiritual. In some of his discourses, it was alleged, that he had styled the queen of England an atheist; this was told to the English ambassador, who was urged to make a complaint to the king. The ministers were not, however, to be so juggled. The remark related to the *religious* character of the queen, and so was a spiritual matter. Some of the ministers were then delegated to wait upon the king, to hear and reason with him upon the matters in dispute, when the answers they received were favourable; and with regard to Black, the substance of the charge was treated so lightly, that the king said, As for Mr. David Black, he thought not much of that matter, only let him compare and clear himself in judgment, and he shall satisfy the English ambassador. "But take care, Sir," added he, "that you decline not my judicatorie, for if you do, it will be worse." The English ambassador, who had been unwillingly dragged into the business, expressed himself satisfied with a private explanation, but this was not what the king wanted, it was a public

\* The summons, it must be observed, stated no treasonable or seditious speeches to have been uttered by Black, consequently, as it stood, the charges were strictly "for speeches uttered in the pulpit," which might have been errors in doctrine.



acknowledgment of his *supreme* right to judge in ecclesiastical matters, and therefore, instead of dropping the subject, when the party said to be offended, declared himself satisfied, a new libel, containing new charges, collected since his former appearance, and consisting of detached passages from his sermons for three years back, was exhibited against Black.

Meanwhile, the ministers, determined to assert their right of freedom of speech, and desirous to preserve a memorial of their proceedings, which, whether successful or not in the struggle, might bear witness that they did not surrender without an effort, drew up a written declination of the king and council's jurisdiction in matters spiritual, which they transmitted to all the presbyteries for their approval, and in a short time received the signature of four hundred ministers. Whenever this process was known, the king issued a proclamation, commanding the commissioners to leave Edinburgh, declaring the commission unlawful, and forbidding all such convocations in future, under the pain of rebellion. The ministers, immediately suspecting the Octavians as the authors of these harsh but decisive proceedings, after resolving that they would continue together as long as they could, sent a message to the eight lords. "The church," they said, "at their entrance into office, enjoyed peace and liberty, now it was disturbed and perplexed, and her enemies spared and pardoned, they, therefore, charged them as the authors of the church's troubles." The president, in name of the counsellors, declared that they had never interfered in ecclesiastical business, that without it they had sufficiently exposed themselves to envy and ill will, they, therefore, left them and the king to settle it between them. As the ostensible advisers of the crown had disavowed any concern in the acts of the court, the ministers were now placed in direct hostile attitude to his majesty himself; they again tried the effect of a personal interview, but as he insisted upon their allowing the validity of his claim, as the condition of his stopping the process, and as they believed that such an acknowledgment would be opening a door to farther encroachment, which, in the end, would altogether subvert the ecclesiastical government, or so confound it with the civil, as to lay it open to the intrusion of any profane prince, and each,

doubtful of the other, stood upon the utmost punctilio, no conciliatory proposal proved availing. The ministers, on the sabbath before the trial, one of the last days of their liberty, sounded the alarm in all the pulpits. The king, the same day, celebrated with great magnificence, the baptism of his daughter.

On the 30th of November, Black was brought to trial upon the new charges, which were:—That he had affirmed that the Popish lords had returned into the country with the king's knowledge, and that in doing this, he had detected the treachery of his heart; that he had called all kings, the devil's bairnes; that in his prayer for the queen, he had used these expressions, we must pray for her for fashion's sake, but we have no cause, for she will never do us any good; that he had called the queen of England an atheist; that in discussing a suspension granted by the lords of council and session, he had called them miscreants and bribers; that speaking of the nobility, he said they were degenerate, godless, dissemblers, and enemies to the church; that in speaking of the council, he called them cormorants, and men of no religion; and lastly, that he had convoked diverse noblemen, barons, and others within St. Andrews, in June 1594, and caused them take arms, thereby usurping the power of the king and the civil magistrate. Mr. Black, in answer affirmed, that all the accusations were false and calumnious, and produced testimonials to the purity and loyalty of his doctrine, from the provost, baillies, and council of St. Andrews, and from the rector, dean of faculty, professors, and regent of the university, which he contended ought to be preferred before any report whatever. He again declined the authority of the king and council as to all the charges except the last, on which he offered to stand trial, but they over-ruled his declinature, and found themselves competent to try the whole of the offences specified; at subsequent diets, the court would have been satisfied with a very mild punishment, but as this would have implied a dereliction of the principle, the ministers would not consent to any adjustment on such a basis; the council then found Black guilty, and sentenced him to be confined beyond the north water, till his majesty resolved what farther pun-

ishment to inflict. The ministers, considering Black's sentence as a declaration on the part of the court, of their intention to carry into full effect, their pretensions to spiritual jurisdiction, proclaimed the next Sabbath to be kept as a fast, with solemn prayers for averting impending judgments. The king, who conceived this to be a personal attack, published a declaration, in which he disclaimed any intention of violating the rights of the church, affirmed his resolution to maintain religion, and the ecclesiastical discipline established by law, and to suffer nothing to be done in prejudice thereof. On the same day, he ordered Mr. David Black to go into ward, and repeated his command to the commissioners, to remove themselves from Edinburgh, and ordered that the ministers, before they received their stipends, should subscribe a bond, obliging themselves to obey the king and privy council.

After their departure, some of the king's counsellors, thinking the ministers of the city would now be more easily prevailed upon to come into the plans of the court, proposed to his majesty, to send for them, and attempt some new negotiation. When this was intimated to the clergy, they refused to enter into any communing, unless the commissioners were brought back as openly, as they had been disgracefully dismissed, and the court had given hopes that this might be the case, when an incident occurred, which afforded a handle to the king to break off his correspondence, and led to measures, which for a time laid the church at his mercy, and enabled him to obtain a precarious, and unsatisfactory dominion in ecclesiastical affairs.

Of whatever delinquencies the Octavians might have been guilty, they at least merited the praise of rigid economy in the management of the revenue, and incurred the hatred of the courtiers, and hangers on about the palace, whose share in the plunder of the public they curtailed, in particular, the gentlemen of the bedchamber, known by the name of cubiculars, who, from their ready access to the royal ear, were wont to abuse the simple temper of the king. These now wished to get quit of the superintendence of the counsellors, or involve the public in confusion, that, in the scramble, they might procure the reversion of some of their old perquisites.

To accomplish their ends, they first went to the ministers, and assured them that the Octavians were the chief promoters of Mr. David Black's prosecution; that they projected other dangerous expedients, and if not closely watched, they would soon overturn the present established religion; that the majority of them were Papists themselves, and without their connivance and encouragement, the Popish lords would never have ventured to return. They then reported to the Octavians, as the charges of the ministers against them, all the suspicions they had carefully instilled into the minds of the ministers, and hinted not obscurely, that the citizens of Edinburgh, enraged by these insinuations, had conspired against their lives. To the king, they represented the citizens as under guard every night, to prevent any injury being offered to their ministers, and next, they warned the ministers to take care of themselves, as Huntly had been admitted to a private interview with the king, and induced him to adopt severe courses, while his retainers were waiting in the neighbourhood to support them. Suspicions on both sides were raised to the utmost pitch, and under their influence the king ordered twenty-five of the principal citizens to leave town within twenty-four hours. Having succeeded with his majesty, the cubiculars caused intelligence of this fact to be conveyed to Mr. Robert Bruce, who gave the letter to Mr. Walter Balcanquhal, as he was about to ascend the pulpit to preach the usual week day sermon.

Already sufficiently disposed to view in the darkest light, the measures of the court, this information, of which the ministers never doubted the correctness, was communicated to the congregation in the application of the discourse, and produced a very powerful sensation. After sermon, the barons and gentlemen were invited to meet with the ministers in the little kirk, to consult upon the steps necessary to be taken at such a crisis. The call was immediately complied with. Mr. Robert Bruce addressed them when they were assembled, on the dangers to which the church was exposed by the return of the Popish lords, and the favour shown to them, contrasted with the rigour exercised toward the professors of the Reformed religion, and desired them to hold up their hands, and swear

to defend religion against all opposers. Two commissioners from each of the estates, were then sent to wait upon the king, who was accidentally in the tolbooth with the lords of session, at the time. On being admitted, Mr. Robert Bruce informed his majesty of the purport of the message; "they were commissioned," he said, "by the noblemen and barons convened in the little kirk, to lay before him the dangers that threatened religion, by the manner in which the ministers and zealous professors were treated." "What dangers see you?" said the king. "We see" answered Bruce, "the most sincere professors banished the city, and lady Huntly, an open Papist, entertained at court, nor is it thought that her husband is far off." "What have you to do with that," asked his majesty, and then changing the subject, "How durst you convene against my proclamation?" "We dare do more than that," replied lord Lindsay warmly, "and will not suffer religion to be overthrown." Numbers of people now rushing into the room, the king, without deigning an answer, retired abruptly, and ordered the gates to be shut behind him. During the absence of the deputation, Cranstoun, a forward minister, was reading to those who were in the church, passages from the Old Testament, and had selected among the rest, the story of Haman and Mordecai. The deputies, on their return, reported that they had been unable to obtain a favourable answer from the king, and could expect none, so long as the present counselors remained about him. It therefore behoved them to consider what course they should take. "Our only course," said lord Lindsay, "is for us who are here to remain together, pledge ourselves to each other, and send notice to our friends to come to us," a proposal which met with universal approbation, and Bruce exhorted them to persevere, but with calmness and moderation. In the meantime, a report had been industriously spread in the town, that the king had behaved very ungraciously to the ministers, and a rumour was whispered through the tolbooth, that the town was arming, before there was any appearance of a tumult. The incendiaries gained their end, a crowd gathered, and some ran to the tolbooth, and some to the little kirk, where the ministers and nobles were assembled. At this moment, an unknown person,

but generally alleged to have been an emissary, came running to the church, crying, "Fy! save yourselves, the Papists are coming to massacre you."

In any circumstances almost, an alarm is easily spread in a crowd, but if there have been any previous undefined apprehensions existing among them, the shock is electric. So it was here, the cry got up, To arms! to arms! Some one within the church exclaimed, the sword of the Lord and of Gideon. "These are not our weapons," said Bruce, and endeavoured to calm the meeting, but the panic had seized them, they rushed to the street, and increased the confusion. The doors of the tolbooth, at the first sound of a disturbance, had been shut, and the mob who were collected before them, bawled out for president Seaton, and some other of the obnoxious members of the council to be delivered to them, that they might take order with them, calling them abusers of the king, and adding, perhaps, a few opprobrious epithets, as usual on similar occasions, but they proceeded to no further violence, for one of the deacons of the crafts, with a guard of craftsmen, was instantly upon the spot, and Sir Alexander Hume, the provost, who was on a sickbed, no sooner heard of the tumult, than he arose, came into the street, and addressing a few conciliatory speeches to the rioters, persuaded them to disperse, and go quietly home, which they did. In a short time tranquillity was completely restored, nor does there appear to have been a blow or a wound given or received upon the occasion.\* During the disturbance, the king directed the earl of Marr and two other noblemen, to proceed to the ministers, and ask the reason of the riot. They found them walking in the churchyard behind the church, regretting the unfortunate occurrence, which they could only account for, from the people's being dissatisfied at learning the rejection of their petition, and requested the noblemen to represent to his majesty, that they were wholly unconnected with the tumult, which they had done their utmost to repress. The earl of Marr on this, advised them to state their grievances in a respectful petition, and present it to his majesty, by whom

\* Calderwood, p. 365. Spotswood, pp. 427—8.

he promised it would be heard and answered. They then returned to the little kirk, and after a short deliberation, sent lord Forbes, the laird of Bargenny, and principal Rollock, with their requests to the king, who still remained with the lords of session. They asked that all the proceedings against the church, for the last four or five weeks, should be rescinded; that the president, comptroller, and advocate, as being suspected Papists, and avowed enemies to the church, should have no voice in what concerned it; and that the citizens of Edinburgh be permitted to stay at home, on giving surety to appear when called on. The king answered them smoothly, he promised to call his council in the afternoon, and satisfy them in every thing they could with reason desire, and if the lord provost and baillies would intercede for the citizens, their petition would be granted. His majesty then walked down the streets peaceably to his palace, attended by the lords.

In the afternoon, the noblemen and barons assembled with the ministers, and in compliance with the desire of the king, a petition was drawn up, and a deputation sent to the palace, to present it to the council. They arrived at Holyroodhouse about five o'clock in the evening, but instead of being received, as his majesty had promised, they were told that he was then greatly displeased, and were advised to defer asking admission till next day, and lord Ochiltree having prevailed on the laird of Bargenny to decline the office that evening, the deputies withdrew without accomplishing their errand.

Next morning early, before an opportunity could be found for again presenting the petition, the king was on his road to Linlithgow, happy, no doubt, in having escaped the imminent danger to which he was exposed, of hearing the grievances of his people, or the unpardonable affront offered to his authority, in daring to censure his ministers. He left a proclamation, which was immediately published at the market cross, stigmatizing the late riot, which it magnified into a treasonable uproar, excited by the ministers, and ordering the courts of law to leave a city, unfit for the ministration of justice, and also commanding all the nobility to return to their own houses, and not to reassemble in any place, without his majesty's permission.

A measure so unexpected, because so unproportionably severe, especially when contrasted with the lenity shown to the reiterated treasons of the rebel lords, struck both the ministers and the citizens with the most lively apprehensions; but they took different courses to avoid the impending storm. The magistrates, afraid of the consequences of removing the royal court and courts of justice, resolved to yield and implore his majesty's clemency. The ministers, determined to brave the tempest, exhorted the nobles present not to separate, and endeavoured to procure the adherence of others to their cause. They wrote to lord Hamilton, and to several noblemen, upon whose co-operation they reckoned, and invited them to come to Edinburgh and support the liberties of the church, and also attempted to convoke a general assembly of the ministers, whom they invited to town, and recommended to bring along with them the gentlemen they considered as best affected. The court, on the other hand, followed up the first proclamation, by ordering the ministers of Edinburgh, with a number of the citizens, to enter into ward in the castle, and commanding the provost and magistrates to enforce the order.

By a piece of meanness, if not treachery, lord Hamilton, instead of answering the letter addressed to him by the ministers, sent a vitiated copy to the king, in which they were made to approve of the tumult, by attributing it to the motion of God's Spirit, expressions which were not used by them. This was seized upon by James' advisers, as a plausible pretext for additional severity, and they summoned the ministers to appear at Linlithgow, to answer before the privy council, *super inquirendis*; but the ministers, upon consulting with their friends, were advised, in the then temper of the court, to decline appearing, and, accordingly, some of them sought refuge in England, and some concealed themselves in Fife. A deputation from the town council was sent on Monday—the king left Edinburgh on Saturday—to Linlithgow, to clear themselves from blame, and to offer any reparation in their power to his majesty and council for the indignity offered them in the late riot, provided they were declared innocent of the crime, which from their hearts they detested. The king, however, would receive no apology. "Fair words," he told



them, "could not atone for such a fault, but he would come ere it was long, and let them know he was their king." Next day, the tumult was declared by the council to be treason, and all guilty of being concerned in it, traitors; the judicatories were ordered to be removed to Leith, and the court of session, after the 1st of February, to Perth. At this denunciation, which was aggravated by reports of the extremities advised by the sycophants about court, who talked of bringing in the borderers, of spoiling and then burning the city, of razing it to the foundation, sowing it with salt, and erecting a pillar on the place where Edinburgh stood, the capital was in despair, and hopeless of obtaining any mitigation from their own application, they employed some gentlemen in favour with the king to intercede for them, who represented:—That in all great towns there were generally some turbulent spirits, and it would, indeed, be hard if a tumult raised by them, which the magistrates had quelled, and the promoters of which they were anxious to bring to punishment, should be visited upon those who had faithfully done their duty. They therefore entreated his majesty to relent towards the town. The king, who must have perceived the force of this application, after some hesitation, replied:—That he did not think the riot could have assumed so alarming an appearance, unless it had been encouraged by some persons of note; but at any rate, the magistrates were guilty of culpable negligence, in not having prevented it! His resolution, however, was to proceed by law, and not to use any violent course. He had appointed the estates to meet in the same place where the dishonour was done him, and would regulate his conduct, both as to trial and punishment, by their advice.

On the day preceding the convention the king came to Leith, and gave orders for his entry into the city next day—new-year-day—which was done with all the circumstance of military pomp, as if some mighty conqueror had been entering the capital of his enemy, after an obstinate and irritating siege. The keys of the town were delivered with great formality to one of the king's officers. A guard of armed men was stationed in the streets, and the citizens commanded to remain within their houses, and such as did appear, forbidden

to carry any weapon. The earl of Marr, lords Seaton and Ochiltree, were ordered to take charge of the town, and superintend the arrangements, the magistrates not being allowed to officiate on this solemn occasion. When all the preliminaries were adjusted, the king, accompanied by a great train of nobles, entered the town on horseback, and marched in procession up the High Street to the tolbooth, where the estates were assembled. After some desultory discourse about the riot, the king was advised to call the magistrates, and hear what they had to offer in extenuation of this enormous offence. The provost, baillies, and town council, were then brought in, who, falling upon their knees with a humiliation not more contemptible than useless, offered to clear themselves upon oath, of all previous knowledge or active participation in the seditious tumult, to resign their office to such as his majesty should appoint, and, with a meanness unfortunately not peculiar to these times, made a voluntary surrender of their religious and civil liberty into the hands of the king, disclaiming in future their right to choose their own ministers, or elect their magistrates, and this under protestation of their being innocent of any crime ! Yet all this sufficed not ; the king dismissed them in doubt whether he would deign to accept of their degraded privileges.

Queen Elizabeth, with her usual sagacity, on being informed of these commotions, wrote a letter to the king, "to dissuade him from pursuing a rigorous course with his best subjects, whose interest was inseparably connected with his own, and whose only fault consisted in an over zeal for the welfare of the church, which they believed to be in danger," and which, although it might be rash, and in the manner "such as no king ought to bear with, yet was not so inexcusable at the instant when the new banished lords returned, and were seen to be winked at, and allowed full liberty ; and as spring was advancing, when aid from abroad was promised, together with the arrival of many letters from Rome and elsewhere, containing the names of envoys authorized by the king—as they gave out, but she hoped falsely—to assure the Catholics of his conformity, and of his intention, when the opportunity offered, to establish the party of his enemies, and desert his

own." The king professed himself pleased with this letter, as he had no intention of dealing rigorously, but only wished to enforce obedience upon his subjects, "and make his advantage of their disorders !" \*

In the next meeting of the estates, which was held in Holyroodhouse, the tumult was pronounced treason, and it was determined to prosecute the town criminally before the court of justiciary. The whole magistrates, as representing the town, were ordered to enter themselves in ward within Perth, before the 1st of February, to remain there prisoners till tried. The day of trial, after several adjournments, was at last fixed for the 5th March, and instead of all the magistrates, two baillies, the dean of guild, treasurer, four of the principal deacons, and four of the council, with their clerk, in all thirteen, were ordered to attend with a commission from the provost and council, as representatives of the city. When the day came, they appeared all except one who had the king's dispensation; but this excuse was not admitted, and the whole were found guilty of not fulfilling the ordnance of the council, which required thirteen to be present. The town was denounced, the burgesses declared rebels, and all their public property confiscated to the king. The report of this sentence filled the city with consternation; the magistrates threw up their offices, and refused to act; and for fifteen days, the capital continued without either ministers or magistrates. At last, by the intercession of some nobles, the provost, baillies, council, and deacons of crafts, were admitted into the royal presence at Holyroodhouse, and falling on their knees, with tears in their eyes, bewailed their negligence in not preventing what they had repeatedly protested they could not foresee, and besought his highness to take pity on the town, throwing themselves entirely on his mercy. The king sharply reprimanded them, and, in a long speech, expatiated on the magnitude of their offence; then commanded them to retire till he should deliberate upon their fate. On being recalled, they were ordered to deliver up to his majesty the houses in the churchyard where the ministers used to

\* Spotswood, p. 433.

dwelt, who were henceforth to live separately; to protect the lords of session during their sitting, under a heavy penalty; to give up the lower council house for exchequer chambers; and to pay a fine of twenty thousand marks. On these conditions being accepted, the king was most graciously pleased to pardon the town, and by proclamation, recalled the courts of justice. Such was the punishment inflicted for a riot, in which no person was hurt, no property damaged, which the strictest investigation could trace to no specific origin, and in which, after the most minute diligence, no respectable individual in the city could be implicated.

In the midst of these turmoils, the Cubiculars effected the overthrow of the Octavians. Harassed by the dissensions of which they were supposed the instigators, envied by the other courtiers, and not agreeing among themselves, they found it expedient to resign their commission, for the king, says Spotswood, loved peace though with his own loss, and the revenue, as formerly, was carelessly collected, and extravagantly spent. But James was so eager in pursuing his plans for reducing the ministers to subjection, and altering the constitution of the church, that this revolution in the state, important although it was, must be classed among the more uninteresting occurrences of the time.

Having gained so complete a victory over the capital, the king did not allow the opportunity to slip for attempting his innovations in the church. These he had for some time meditated, and the preparatory steps were taken, previously to the riot in Edinburgh, by preparing a series of questions to be agitated, the discussion of which would tend to unsettle the minds of the people, with regard to the form of church government established by law. The ministers of Edinburgh were, as ministers of the metropolis, and as men of superior ability, looked up to with reverence by the majority of their brethren, and viewed by the king as the chief obstacle to his design; and the miserable riot, by falsehood and exaggeration, had afforded the means of getting rid for the time of their personal opposition, and gave a handle to the court, which they did not fail to improve, for shaking their influence, by representing them as turbulent and seditious. Fifty-one

questions were printed and circulated through the presbyteries, and a general assembly was summoned to be held at Perth, to take these questions into consideration.\* At the same time, Sir Patrick Murray, one of the gentlemen of the bedchamber, was despatched on a mission to the north, to induce the ministers there to come into the measures of the court. He was instructed to acquaint them with the late dangerous tumult, and the treasonable conduct of the ministers of Edinburgh, whom they were to be directed to look upon as wishing to usurp an authority to which they had no right, and the commissioners as exercising an unlawful office. He was to endeavour, if possible, to procure their subscriptions to the bond, and desire them to send commissioners to the ensuing general assembly, to resolve the proposed questions, and to act independently and for themselves, nor believe the misrepresentations given of his majesty, as if he intended to usurp any improper authority in the church. They were likewise to be required to accept the earl of Huntly's offers to satisfy the church, and absolve him from the sentence of excommunication. In their answers, the presbyteries expressed themselves unable to judge of the question respecting the tumult, on account of their want of information; but their opinion in general was, that the guilty should be punished, and if ministers, doubly. The bond, they in general declined subscribing, notwithstanding the penalty annexed, as they already acknowledged his authority, and where it refers to the liberty of speech in the pulpit, that was a subject for the deliberation of the next assembly; and as for the earl

\* These questions, which are given at large in Spotswood, were such as:—Whether the external government of the church might not be disputed? Whether it was lawful for ministers in the pulpit to express the names of counsellors, magistrates, or others, except for notorious vices, and after private admonition? Whether is it lawful to convocate the general assembly without his majesty's license, &c.? All tending to unsettle the form of church government, which all had sworn to uphold, and which had been legalized in the strictest manner by act of the estates. Encroachments upon an established, well working constitution, however small, are at all times to be deprecated, especially when, under the profession of strengthening it, the executive is evidently grasping at unnecessary power. Had these questions been dismissed at once, the troubles which followed might, perhaps, have been prevented.

of Huntly, his repentance should be most acceptable to them, and they were willing to confer with him, and use every mean for his conversion; but they did not find him so willing to conform as they wished, nor did he appear very earnest about his being absolved. In his private communications with the ministers, Sir Patrick plied them with every topic most likely to engage their interest or ambition, by holding out the favour of the king, with whom they needed only to be acquainted to perceive how much his character had been mistaken, and who, notwithstanding his quarrel with the ministers of Edinburgh, was still warmly attached to the rest of the ministers of Scotland, and they who had been unaccustomed to any attention from the court, flattered by the appeal now made to them, assured him that the king would have no cause to complain of their conduct at the ensuing assembly.

A convention of the ministers met at Perth, March 1st, in obedience to the royal summons. It was numerously attended, but had an unusual proportion of the north country members; yet, notwithstanding, it was with difficulty, after a sharp contest of three days, that it was decided, by a majority of voices, to be a lawful general assembly extraordinarily convened; the commissioners from Fife protesting:—That nothing which might be done should be held valid, or improved to the prejudice of the liberties of the church of Scotland. The questions proposed by the king were hotly debated, but in the end, the project of the court was virtually approved, by the leading ones being answered in such a manner as to allow the king, or the pastors, to propose, in a general assembly, whatever point they desired to be resolved or reformed in the external government of the church; to give up the liberty of discussing public questions in the pulpit, or reproving public men either by name, or in such a manner as the character might be recognized; to disclaim the right of meeting to synods, presbyteries, or sessions, except in particular specified cases, without the authority of the king; and to allow that no minister should be chosen in any of the principal towns without his majesty's consent. Content with these concessions, the king did not push his encroachments farther at this time,

but having procured a ratification of these articles from the convention of estates, which was sitting at Perth at the same time, he deferred the consideration of the other questions till the meeting of the next general assembly, to be held at Dundee on the 10th of May following. The influence which the court had acquired in the assembly, was still more evident from a commission given by them at the king's desire to a number of the northern ministers, to confer with the Popish lords, and to procure their re-introduction into the bosom of the church. This assembly was the first in which the king, adopting a new method of management, and by operating upon the unsuspecting simplicity of some, and the needy selfishness of others, rendered the ministers themselves the instruments of their own enthrallment.

Pleased with their complaisance, the king appeared willing to relax in his prosecution of those who had been harshly treated on account of the tumult, and replied to their intercessions for the gentlemen who had been ordered to leave town, "That he had no intention of harassing innocent men, and would easily settle with them, but with the ministers, whom he esteemed the most guilty, he was uncertain what course to pursue." The members of assembly continued, "From the whole of the examinations it appeared, that all, but particularly Mr. Robert Bruce, were chiefly instrumental in allaying the disturbance, and instead of punishment, deserved a reward." To which the king answered, that granting they did repress it, they were the first cause of exciting it, and if they were punished for that, he had no objection to their being rewarded for the other. He would, nevertheless, consent to their being released, upon giving security to appear when called upon.\* The four ministers were, in consequence, allowed to return, and on the 21st of April, were introduced to the king, who expressed his satisfaction at their having fled, as, he said, he might perhaps have done in his fury, what he would afterward have repented.† They were not, however, allowed to resume their clerical functions.

One of the objections to the legality of the assembly at

\* Spotswood, p. 442.

† Calderwood, p. 402.

Perth was, that it was convened solely by the warrant of the king, and not opened by the regular moderator. For this reason, some of the most strenuous supporters of the discipline of the church, when the day on which the assembly, according to the regular method of proceeding, should have been held, met at St. Andrews, and being constituted by Pont, the moderator of the last regular assembly, agreed to dismiss, and refer all business to an assembly to be held at Dundee, May 10th, the day appointed by the king and convention at Perth, by this form asserting the right of the church to convocate and hold her assemblies, a right which the king wished to usurp entirely to himself.

In consonance with the resolution of the assembly at Perth, the general assembly met at Dundee, and ratified with some modifications of no great importance, the acts of that session, which it declared a lawful meeting. Whenever the court wished to gain any end, or silence any opposition, it had been latterly their custom, to introduce the subject of stipends to the notice of the assembly, and as a great number of the ministers were but very meanly supported—and even that was precarious—they were certain of always attracting the attention of a considerable party. Under this cover, and for the ostensible purpose of planting churches, the king obtained from this assembly, the nomination of a standing council of fourteen ministers—seven to constitute a quorum—for the purpose of “advising in all affairs concerning the weal of the church, and entertainment of peace and obedience to his majesty within this realm,” by whose means all matters which were to come before the general assemblies, were previously arranged at court, and the king enabled to introduce whatever innovations he afterward chose, or, as quaintly expressed by James Melville, it was “the very needle which drew in the thread of Episcopacie.”

As soon as the assembly was dissolved, Sir Patrick Murray, by the king's command, accompanied the commissioners of the church to the north, to see the three earls perform the prescribed conditions, and be absolved from the sentence of excommunication. But while the king was so anxious to accomplish this favourite object, and was endangering the



peace and best interests of his kingdom, to procure for convicted traitors a reconciliation with the church, and a return to court, their accomplices were engaged in new plots, which, it is no great violation of charity to believe, were concerted with their knowledge, for it was not till after their failure, that the earls consented to comply with the terms to which they had agreed. James Gordon, a relation of Huntly's, and a Jesuit, arrived in the country to dissuade him from compliance, and at the same time, a plan was concerted, to seize and fortify the isle of Ailsa, for the purpose of receiving a Spanish force. Ailsa is an insulated rock, situate on the western coast of Scotland, betwixt the shore of Ayrshire and Cantyre, about two miles in circumference; it rises to a great height, and is inaccessible, except by one narrow footpath, which a few resolute men could defend against any force. On the top stood the ruins of an old castle. This rock had been taken possession of, by one Hugh Barclay of Ladyland, who, in the former year had made his escape from Glasgow castle, where he was confined, fled to Spain, and having returned as an agent, was employed in victualling this place. He was surprised by Mr. Knox, who, five years before, had apprehended Kerr with the blanks, but rather than allow himself to be taken, rushed into the sea, and drowned himself. The Popish earls, when apprised of his death, professed their sincere repentance, took whatever oaths were required, subscribed the articles of faith, and were absolved in the church of Aberdeen.

James was so completely intent on his ecclesiastical projects, that the history of Scotland at this period, consists of little else than a detail of the meeting of assemblies, commissions, and parliaments for remodelling the church, and of the shifts and tergiversations of the king to bend the clergy to his purpose. Shortly after the assembly rose, he called a meeting of the commissioners at Falkland, and proceeded to exercise the power which he considered the assembly to have bestowed, when they nominated this council. He called the presbytery of St. Andrews before him, revised a sentence of deposition they had pronounced, and restored the offender to his office. He next heard a complaint of Lindsay of Balcar-

ras, against Mr. Wallace, one of the ministers of St. Andrews, for some injurious speeches which he accused him of having used in the pulpit. The complaint had been brought before the presbytery, but dismissed because it could not be substantiated by the evidence of two witnesses, on which the secretary preferred it before the commission, and Wallace was summoned to answer. Wallace declined the judicature, as the case had been tried before the presbytery, from whose decision there was a plain, legal appeal to the assembly, and the moderator of the presbytery protested against the proceedings of the commissioners, as usurping a greater power than the assembly claimed, of judging in a case within the jurisdiction of a presbytery, without any appeal from that presbytery, to the neglect of the inferior judicatures. "Then I will protest too," said the king, "as one of the principal motives which induced me to crave, and the assembly to grant this commission, was to take cognizance of such cases, and see justice done." The commissioners dismissed both declinature and protest, declared themselves competent to judge of the complaint, and appointed the case to be heard at St. Andrews, whither they proceeded in a few days. Here the secretary appeared, but Wallace persisting in his declinature, was removed from his charge, as was also Mr. David Black, who had a little before resumed his ministry.

From the church, the royal visitation proceeded to the university, and the conduct of Andrew Melville, the rector, underwent a strict, and not very friendly investigation, but nothing culpable could be brought against him. Spotswood mentions only his having sometimes, in his divinity lectures, agitated political questions, which, considering the close and intimate connexion then subsisting between civil and ecclesiastical government, it was hardly possible for a professor in his situation to avoid.

The Romish power was so closely entwined about the power of the state, and presented such imposing claims of right, and the sovereigns, in virtue of the example of the Christian emperors, aimed at such authority over the religious concerns of their subjects, that a total confusion of jurisdictions was introduced. This, so long as both united to support tyranny

and superstition, occasioned no great difficulty, but when the light of reason and of revelation began to shine at the Reformation, it became a necessary part of a divinity professor's prelections, to inquire into the respective jurisdictions of magistrates and ministers, and in so doing, he was naturally led to discuss the abstract questions respecting the origin of power, and the responsibility of those who exercised it, discussions from which no good government need ever fear any bad effects. James considered this as an abuse, and in order to correct it, he prescribed to every professor, the subjects he was to teach.\* He also nominated a council to superintend all academical proceedings, and prevailed upon the commissioners to pass a resolution, that no professors, particularly professors of divinity, should, unless they were pastors, teach in any of the congregations, or possess a seat in any of the judicatures of the church. These arbitrary regulations, though professedly for the benefit of literature, were directed against one man, particularly the last, which was intended to get rid, in an oblique manner, of Andrew Melville's appearance in the general assembly, whose intrepid conduct, and commanding eloquence, the king was terrified to face.

On the borders, the outrages still continued. In no part of the country was the mischief of a feeble or relaxed government sooner felt. The English were ever ready to take advantage of the confusion, and the unruly marauders of Tyndale and Redsdale, broke into the Scottish side, and ravaged all Liddisdale. The laird of Buccleugh, keeper of these marches, to be avenged for the affront, made an inroad on the English side, and having taken thirty of the most active of the robbers, hanged them, and brought off considerable spoil. The freebooters in Sir Robert Kerr's district, were encouraged to commit depredations on the east marches, where

\* This charge is not mentioned in the acts of visitation, M'Crie's *Life of Melville*, vol. ii. p. 114. but it *might* still be understood, and, as it is extremely probable that the proposal of another professor *might* be a mere cloak, I have retained Spotswood's account, and as a council was appointed to manage the funds of the college, there is no impossibility, but some charge of negligence may have been circulated against Melville. The simple absence of these charges in the acts, does not warrant an accusation of vitiating the record.

the disorders were aggravated by a personal quarrel between him and Sir Robert Carey, lord Hunsdon's fourth son. The complaints made by her wardens, against the repeated excesses of the Scots, at last induced Elizabeth to send Sir Robert Bowes, to remonstrate with the Scottish king on the subject, to exhibit to him an abstract of the injuries sustained by the English, and to assure him, that the remoteness of her borderers did not lessen her care for their preservation; and if he did not use his authority, she would send such a force, as would afford protection to her subjects, and repress the insolence of the banditti who annoyed them. A protracted negotiation was the consequence, but it ended in the last treaty which it was ever necessary to sign between the two nations, on such subjects. By it mutual pledges were to be given, to ratify the conditions within a certain time, or the wardens were to enter themselves prisoners, the party failing to the party who fulfilled their obligation. Buccleugh, and Sir Robert Kerr, having failed in delivering their pledges, were obliged to enter themselves prisoners in Berwick. Buccleugh entered first, and remained from October till February, when the pledges of his district being delivered, he was restored to liberty. Sir Robert Kerr was delivered up by lord Hume, and notwithstanding the strife and rivalry which had long existed between him and Sir Robert Carey, he, with that romantic magnanimity, not uncommon among the chieftains of the border, put himself under his guardianship; nor was this proof of confidence misplaced, Carey returned it with generous hospitality, and their past enmity was succeeded by a sincere and lasting friendship. Kerr was not able to procure the speedy delivery of his pledges, and was ordered to be carried to York. Thither Carey conducted him, and intrusted his friend to the care of the archbishop. He was afterwards liberated, and returned to his charge, as warden of the eastern marches. An earthquake, which, in the month of July, shook the northern districts, was considered to portend internal commotions, and the real calamities of the country, were aggravated by the credulity of the people, who pictured to themselves yet more dreadful evils from the con-

vulsions of nature, phenomena sufficiently alarming, without being prophetic.

But this credulity was more perniciously exemplified in the belief of witchcraft, which was productive during this summer, of some very distressing consequences. A great number of unfortunate beings were apprehended, and tortured to force a confession. Among others, one Margaret Aiken was apprehended upon suspicion, and being threatened with the rack, the poor wretch, in a fit of terror, confessed herself guilty. On being interrogated respecting her associates, she named several persons, and, in order to save her own life, promised to clear the whole country of that description of criminals, as she knew, from particular marks, who held communication with his satanic majesty. Her declaration being believed, she was for several months carried through different counties, and all she pointed out were apprehended. Numbers on her testimony were tried, and particularly in Glasgow, several innocent women were condemned, and put to death, till some suspicions arising, her pretensions were put to the test. The same individuals whom she had denounced on one day, were brought to her on another in different dresses, and when they were not recognised by her, or were declared innocent, she was sent to Fife, where she had been originally brought from. At her trial, she confessed that every thing she had affirmed of herself or others was false, and repeated this declaration at the stake, to the horror of those who had been active in persecuting the unfortunates taken up on her accusation, and the king recalled the commission he had granted to proceed against them, all being ordered to be liberated, except such as emitted voluntary confessions, who were to be detained till the estates should determine the form of procedure against them.

Towards the end of the year, [December 2d,] a parliament was held, to reverse the sentence of forfeiture passed against the three earls, and restore them to their estates and honours. At this meeting, the commissioners of the church presented a petition, requesting that the ministers might be allowed to sit and vote in the supreme council of the nation, as the third estate. It had been complained in former assemblies, that

persons who were possessed of the temporalities of bishoprics and abbacies, voted in parliament in name of the church, without any authority from them, and suggested that commissioners on their part might be advantageously intrusted, with powers to assist and vote on ecclesiastical business in parliament, but the observations had been vague and indefinite, nor had any precise opinion been ever expressed by the church upon the subject, and so far from receiving any encouragement of late, the dread of innovation, and the suspicions entertained of the king, had prevented its being mentioned at all in the two last assemblies, nor had it been agitated in any of the inferior courts. Taking advantage, however, of these previous surmises, the king, who knew any direct proposal to bring in Episcopacy, would have met with an unanimous and decisive opposition, chose this disguised method of introducing it, to afford those who were not averse either to the state, or emolument of a hierarchy, an excuse for giving their support to a plan, from which, if it had been avowed, their pride, and repeated professions of adherence to the Presbyterian form of church government, would have deterred them. The more consistent and discerning part of the ministers, immediately took the alarm, and endeavoured to influence the nobility against the proposal, their well founded terror of Prelacy, overcoming every allurements of personal advantage which was held out to bribe their compliance, but the superior weight of the court, and the arguments and promises of the king prevailed, and an act was passed, ordaining, "That such pastors as his majesty should invest with the office of bishop, abbot, or other prelate, should have the same right to vote in parliament, as ecclesiastics had in former time, and that all vacant bishoprics, or such as might become vacant, should be only given to actual preachers or ministers, or to persons who were fit to fulfil, and would pledge themselves to perform the duties of the office. A qualifying clause was appended, to render the act palatable. The spiritual power and jurisdiction of the bishops, was left to be consulted and agreed upon by his highness and the general assembly, without prejudice in the meantime, to the jurisdiction and discipline of the church established by law.

Still the commissioners were aware that it would be difficult to reconcile their brethren to this step, and in circular letters which they addressed to the presbyteries, by order of the king, appointing a meeting of the general assembly to be held at Dundee, they apologized for their conduct, as if they had only followed out the views of the church; took credit to themselves for having overcome all the obstacles which stood in the way; represented the act as a mean of rescuing the ministers from contempt and poverty; and concluded by informing them, that steps were taking to provide sufficient stipends for the cures. When the measure came to be discussed in the inferior judicatories, those who used in common to take the lead were neither unanimous nor satisfied; in the synod of Lothian the opposition prevailed, and in that of Fife it was violent and powerful. At a debate in the latter, Ferguson, the oldest minister, and the last of the primitive reformers, reminded them of the efforts the church had made to get rid of bishops, and remarking, on the insidious manner in which it was attempted, to restore what it had cost so much labour to destroy, he compared it to the craft of the Greeks at Troy, who, unable to enter the city by force, had persuaded the Trojans with their own hands to pull down their walls, and receive as an honour what was intended for their destruction. He therefore warned them to reject the proffered boon, and advised them, as the prophetess did her countrymen, *Eque ne credite Teucris*. Davidson, who happened to be present, seconded his venerable friend, and representing the parliamentary commissioner as a bishop in disguise, concluded with his well known apothegm:—"Busk! busk! busk him as bonnilie as ye can, and fetch him in as fairlie as ye will, we can see him well eneuch, we see the horns of his mitre." Every little art was practised to ensure a majority agreeable to the king at the ensuing assembly, and when it met, Melville, who, disregarding the regulations of the royal visitor at St. Andrews, attended, was ordered by the king to retire, first from the meeting, and afterward from the town; but although the leader was dismissed, a considerable portion of his spirit remained, and it was not till after the ministers had been a week assembled, that the principal object of their

meeting was laid before them. It was introduced by a speech from his majesty, in which he enumerated the services he had done the church, in removing controversy, establishing discipline, and in his endeavours to restore her patrimony; to effect which, he said, it was necessary for ministers to have a vote in parliament. "I mind not," said he, "to bring in Papistical or Anglican bishops, but only to have the best and wisest of the ministry appointed by the general assembly to have place in council, to deliberate on their own affairs, and not to stand always at the door like poor supplicants, despised and disregarded." When put to the vote, it was carried by a majority of ten:—That it was necessary and expedient for the weal of the church, that the ministry, as the third estate of the realm, in name of the church, should have a vote in parliament. The number to be admitted was agreed to be fifty-one, the same as that which had power to sit under the Papal hierarchy, and the choice of them to belong partly to the king, and partly to the church; but the name by which they were to be called, bishop or commissioner, the manner of choosing, the duration of their commission, for life or annually, their revenues, and the precautions necessary for guarding against corruption, were referred to be first discussed in the inferior judicatories, then three commissioners from each of the provincial synods were to meet with the king and the doctors, or theological professors, whose decision, if unanimous, was to be final, if not, to be reported to the next general assembly.\*

In the interval, the king held several meetings with the commissioners, for considering the restrictions. The most interesting was in the palace of Holyroodhouse, where the principal ministers, from the different quarters of the country, convened by royal mandate. Here, instead of proceeding as was wished, to discuss the points left for consideration, the primary question itself, whether it were lawful for ministers to have a seat in parliament, was brought under review. Those who supported the affirmative, argued that the gospel does not destroy civil polity, and the ministry is a part of the

\* Spotswood, p. 451.



body politic, they therefore ought to be represented in parliament as well as any other description of persons in the state, to give their advice, and consent to the passing of laws by which they were to be governed; that ministers are not prohibited from discharging the relative duties of life, and to exclude them entirely from secular employments, which were no hinderance to their spiritual functions, was carrying the doctrine to a length as absurd as the Papistical forbidding to marry; that there was as much distraction, and as much time spent in commissions, in visiting churches, waiting on meetings for fixing stipends, and in presenting articles and petitions to the estates, as there would be in attending upon parliament; that it was allowed ministers might wait upon his majesty, to give him advice in matters of state; that the assembly had often craved that none should vote in parliament for the church, but such as had a commission from them; and that Protestant bishops had sat in them since the reformation. They who opposed the measure contended:—That Christianity was distinct from civil polity; that it might exist under a Heathenish, Turkish, or any form of government, for a seat in the high council of a land constituted no part of the gospel; that the ministry was no civil corporation, nor was it recognised as a distinct body in the state, and as part of the body politic, ministers, like the rest of their fellow subjects, were represented by the commissioners of shires and burghs in parliament; that they knew little about the weight or importance of the ministerial function, who thought the due discharge of it compatible with the holding of any civil office, and quoted a saying of queen Elizabeth's, when she bestowed a bishopric:—"Alas! we have marred a good preacher to-day;" that occupation in the necessary duties of life, was very different from being entangled in public civil offices, nor did presenting an occasional petition bear any analogy to a regular attendance in parliament; that visiting churches was a ministerial duty, and if their time was spent in looking after their stipends, that was a matter of necessity, not of choice. They allowed that the question had been agitated in the assemblies, but it was never found how it could stand with the office of a minister to be a lord in parliament.

The worldly dominion, dignity, and titles which it imports, were found wholly irreconcilable to the injunctions of the gospel, and opposite to the declarations and example of Jesus Christ, who professed that his kingdom was not of this world, rejected the offer of the Jews to make him a king, and refused to divide the inheritance among the brethren, or to judge the woman caught in adultery as a civil offence. When it was asked :—Who could vote for the church if not the ministers ? It was suggested that deacons, or elders, commissioned by the general assembly, and liable to render an account to them for their conduct, if any vote were necessary—which was not granted—might be appointed ; but no assembly, before the last one, ever craved a seat in parliament for the ministers ; and ever since the church had condemned Episcopacy, 1580, she had objected to any ecclesiastical person being a member of the legislature. On the discussion as to the time for which a member should sit, if for life ? It was argued :—That no man would put himself to the trouble and expense of going to parliament, if his seat were only for one year ; that he could not in that time acquire a knowledge of business, or experience fit to manage the affairs of the church. To this it was replied :—That they were consulting at present for the good of the church and the commonwealth, and not for the convenience of individuals ; and that the general assembly was better able to manage the affairs of the church than a few commissioners, who, as had been experienced, were more likely to attend to themselves ; that persons, by being appointed for life, might gain more knowledge in the laws of men, but would know less of the law of God ; they might be made better courtiers and politicians, but they would be worse ministers of the gospel ; their constant attention being directed to secular matters, they would become careless about their flocks, anxious for their personal aggrandisement, eager for wealth and pre-eminence, and in spite of caveats, would obtain superiority over their brethren. They would become more ambitious to flatter the prince than to serve the church, and he, in reward for their services, would protect them even when acting against her interest ; and although for their misconduct they might merit deposition, he would preserve them, their lordships, and their

livings. The meeting was then told:—That if they did consent to the voters being appointed for life, they would have the benefit. “The loss will be but small,” answered Andrew Melville, who was present as a doctor. “But then the ministers would be left to contempt and poverty.” “It was the Master’s lot before them,” rejoined Melville, “and better poverty with sincerity, than promotion with corruption. The name of the voters was then considered, whether commissioners or bishops; the latter, it was said, was the Scriptural title, and as parliament had restored the title, it would be a pity to refuse the privilege, by startling at a name, which was indifferent. Melville replied:—The name was Scriptural, but as they were to get an addition to their office, let them also get an addition to their name, and it too might be Scriptural, Peter calls such, *ἄλλοτερον ἐκείνοισιν*, busy bishops. But seriously the name bishop was applied in the Scripture to *all* ministers of the gospel; now, however, in common speech it had become the designation of corrupt officers in the church, as Antichristian and Anglican bishops, and although the term in itself were indifferent, it had through abuse become evil, and was so intimately connected with the ideas of corruption and worldly pomp, that it was improper to be used. Night closed the debate, and next day, when it was renewed, an unlucky observation of Melville’s, that the Scriptures had been profaned rather than gravely handled, was immediately taken home by his majesty, who very politely gave the speaker the lie. Melville replied:—He had included himself in the censure; but the king was petted, and broke up the conference, as he said he found some men so wedded to their own conceits, they would not listen to reason. He would therefore refer the matter to the next general assembly, and if they refused the offer, let the blame of the poverty and contempt of the church fall upon themselves. As for himself, he should not want one of his estates, and he would fill it with such as would do their duty to him and to the country.

Two objects entirely engrossed James’ attention at this period—his succession to the throne of England, and his ascendancy in the Scottish church. To accomplish the first,

sent embassies to the Protestant princes of Germany, to explain his title to the English crown, and require assistance if any competitor should arise. In the meantime, he requested that they would send a joint embassy to Elizabeth, to request her to inform them who she intended for her successor. The princes readily enough offered their assistance, but declined sending any embassy. He likewise instructed Bruce, the abbot of Kinloss, his minister at the court of England, to solicit Elizabeth to acknowledge his title by some public act; but he could obtain from her nothing except evasive or general answers. The private intrigues of this ambassador were more successful; several of the nobility gave him the most unreserved assurances of their determination to support his master's claim, in opposition to whatever pretender might arise. But his greatest difficulty was in managing the Roman Catholics, whom nothing less than a complete re-establishment in all their former power would satisfy, and who could only be brought to acquiesce in James' accession by the hope of seeing in him the restorer of the ancient faith. His anxiety to sooth them had produced a general suspicion of his being inclined to embrace their opinions, and a circumstance which was discovered about this time, tended greatly to confirm this. James had sent a secret mission to the court of Rome, and in a letter to Clement VII. promised that the Catholics should be treated with greater indulgence; and, in order that his holiness might not have his ear abused by false reports, he wished a resident at the Papal court, who could inform him always of the truth, and for this purpose he recommended Drummond, bishop of Vaison, a Scottishman, for whom he asked the dignity of a cardinal's hat. This letter the master of Gray, who then resided in Italy, had procured a copy of, which he transmitted to Elizabeth, and she, having previously heard something of the correspondence, immediately despatched Bowes into Scotland, to inform James of the information she had received, and reproach him with his dishonourable conduct. James, with the utmost confidence, denied all knowledge of any such letter, and affirmed the whole to be a contrivance of his enemies, to hurt his character with the Protestants; and his secretary, Elphinstone, with

equal vehemence, perhaps with equal veracity, asserted the same story. Afterward, however, the fact became too patent to be denied, and the secretary was under the necessity of saving his master's honour by compromising his own. Archbishop Beaton also was sent to France as ambassador from Scotland, and likewise restored to the temporalities of the see of Glasgow, another secret transaction which did not escape detection, by the vigilance of the ministers. His publications too were not calculated to inspire his subjects with confidence in the steadiness of his principles. In his *Basilicon Doron*, or instructions to prince Henry, he openly avows his hatred toward the instructions and writings of his venerable preceptor, and his enmity to the memory of our great reformer. He not only warns his son against such "infamous invectives as Buchanan's or Knox's chronicles," but exhorts him, if any of these infamous libels remain until his day, to use the law upon the keepers thereof. "For in that point," says he, "I would have you a Pythagorist, to think that the very spirits of these archi-bellowses of rebellion have made a transition in them that hoards their books, or maintains their opinions, punishing them even as if it were their authors risen again."\* And he endeavours to excite the passions of the prince against the more zealous of the ministry, whom he stigmatizes as puritans. "Take heed, therefore, my son, to such puritans, very pests in the church and commonweal, whom no deserts can oblige, neither oaths or promises bind, breathing nothing but sedition or calumnies, aspiring without measure, railing without reason, and making their own imaginations, without any warrant of the word, the square of their conscience." "I protest before the great God, and since I am here upon my testament, it is no place for me to lie, that ye shall never find, with any Highland or border thieves, greater ingratitude, and more lies and perjuries, than with these phanatick spirits."† In his *Trew Law of a Free Monarchy*, which is evidently intended as an antidote to Buchanan's *De Juri Regni*, he, without circumlocution, inculcates the principles of the purest despotism, and enforces on his people the most

\* King James' Works, p. 176.

† Ib. p. 160.

unlimited obedience. "Even when a king, as described by Samuel, takes their sonnes for his horsemen, and some to run before his charet, to ear his ground, and to reape his haruest, and to make instruments of warre, and their daughters to make them apothecaries, and cooks, and bakers; nor though he should take their fields and their vineyards, and their best olive trees, and give them to his servants, and take the tenth of their seed, and of their vineyards, and of their flocks, and give it to his servants, had they a right to murmur; the king was only accountable to God, and the chiefs of the people had the example of Elias pointed out for their imitation, who, under the monstrous persecution and tyranny of Ahab, raised no rebellion, but did only "flie to the wilderness; where for fault of sustentation he was fed by the corbies." \*

It has been questioned whether theatrical representations be calculated to promote the cause of virtue and good morals, and the arguments of their most strenuous supporters have not yet been able to establish an affirmative. With the fathers of presbytery there was no question upon the subject. Common play-actors were esteemed a nuisance, and their habits and manners did not then tend to do away the stigma. Yet while straining every nerve to establish, as he professed, purity in the church, James procured a company of comedians from England, and licensed them to play within the burgh. The ministers, as guardians of public morals, could not pass over in silence their unruly and immodest behaviour, and as they did not think their performances likely to advance the religious improvement of the people, an object with them of the most supereminent importance, the sessions, by their advice, prohibited attendance at such places, under pain of church censures. The king, who conceived his dear prerogative in danger, and considered this order—which was in fact but such a regulation as every society had a right to impose upon its members—as destructive of his license, called the session before the privy council, and ordered them to annul their act, nor restrain the people from their innocent amusements. The

\* King James' Works, p. 198.

ministers were inclined to resist, but the other members of the session, afraid of a new contest with the king, yielded, and next day proclamation was made for all the lieges who chose to attend the play.

Busied as the king was with his future prospects and his church business, his exchequer began to put him in mind that he had other concerns. His foreign embassies and extraordinaries forced him to look to the administration of his revenues; but such was the mismanagement since the retreat of the Octavians, that the earl of Cassillis, who purchased the office of treasurer, was so much annoyed with the multitude of precepts, and the demands for money, that he was glad to get rid of the post, after having expended forty thousand merks, all of which he lost. Lord Elphingston succeeded; but the same system of heedless extravagance and consequent embarrassment continued till the king left Scotland.

The borders still continued turbulent, but Sir Robert Carey, who, with his friend Sir Robert Kerr, were now wardens, both cordially uniting, and neither affording protection to the robbers of either kingdom, no very serious disturbance took place. The only incidents worth recording, were the destruction of a tribe of outlaws, and a polite interruption which Carey gave to the Scottish hunters, who, he thought, were using too much freedom in his district. The outlaws were a banditti of the name of Armstrong, who had taken possession of the wildest tracts on the western border, and committed grievous outrages, particularly on the adjacent English district. Disowned by both kingdoms, the English warden, with permission of the king of Scots, determined to punish them. Learning that they had retired at his approach, to an impervious forest to take shelter, he surrounded it with his horse, and entering with his foot soldiers, took their chiefs prisoners, whom he carried to England, and exacted such conditions on the rest, as secured tranquillity for some time. The Scottish gentlemen, who were pursuing the deer on his borders without permission, were by Carey's orders taken prisoners, and brought to Widdrington castle, where he then resided, but after being hospitably entertained, were dismissed, on giving their word not to renew their sport with-

out leave. Afterward they always obtained liberty of hunting when they asked, and Carey himself often joined the chase. The circumstance deserves notice merely as showing the milder spirit which the expected union of the two kingdoms was beginning to spread among the border chieftains, with whom in former times, such an occurrence would have been the signal for rapine and bloodshed.

The year 1600 commenced in Scotland, by act of the estates, on the 1st day of January, previously to which, the new year was reckoned from the 25th of March. The general assembly, which was to decide the fate of presbytery, was announced by sound of trumpet at the cross of Edinburgh. It met at Montrose, as the most convenient place for the ministers of the north, who were considered by the king as the most manageable. The attendance of members was full, and each side promised themselves the victory. The friends of the establishment reckoned upon the unanswerable force of their arguments; their opponents trusted to the more cogent influence of the crown. Both parties had used their utmost exertions, and as their numbers were nearly equal, the contest was looked forward to, with all that keenness and anxiety which naturally arise, when interests are nearly balanced. Had the general question been put to the vote, it is difficult to say whether even the personal authority of the king, together with his previous management, would have been adequate to have carried the point, but all argument was stopped, by a royal intimation that this had been already decided. On the vote, whether the parliamentary representatives should be elected annually, or for life, it carried for annual election, by a majority of three, but this was afterward altered, so as to render the annual election a mere form. The final resolutions of this meeting were, that the general assembly should nominate six for every vacant benefice, out of which number, the king was to choose one, who was to take a seat in parliament under the name of commissioner; but he who was thus chosen, was to have no power to propose in parliament, council, or convention, any thing in name of the church, without their special instructions, and was bound at every general assembly, to give an account of the manner in which he had



executed his trust, submit to their censure, and abide by their decision without appeal. He was to attend faithfully upon his own particular congregation in every point, as a pastor, and submit to the trial or censure of his own presbytery, as any other minister. In the administration of discipline, collation of benefices, visitation, and other points of ecclesiastical government, he was neither to usurp or claim any power or jurisdiction above any of his brethren, under pain of deprivation, and if deposed by the general assembly, synod, or presbytery, from his office in the ministry, he was to lose his vote in parliament, *ipso facto*. Under such restriction, were the first representatives of the Scottish church in parliament to be chosen, but, as they were agreed to on the part of the king, with no intention that they should ever stand in force, and merely to have matters peaceably ended, and the innovations introduced without noise, so they were broken the very first opportunity that presented itself, and the bishoprics of Ross, Caithness, and Aberdeen, were clandestinely filled by the king, and a select number of such ministers as would agree to whatever he chose to propose, without any attention to the caveats. \*

James, during the whole time this question respecting the bishops was in agitation, toiled incessantly; every other royal care was dismissed, as of inferior moment; his cabinet and court were filled with ministers, his days were consumed in public disputation, and his nights in private conferences; he was closeted with clergymen from sunset till the gray dawn, and scarcely could his privy counsellors obtain an audience. This anxiety of James to procure the introduction of Prelacy, did not proceed from any regard to it as a religious institution—and this the reader of Scottish history during his reign, and that of his son and grandson, must never forget—but from a pious love for despotism. He saw the ease with which the English clergy were managed, from the dependance which that body had upon the king, as the head of the church; that all hopes of preferment lay in royal favour; that advancement in the hierarchy, must be sought by subserviency to the prince,

\* Spotswood, p. 453.

and as there could be no bishop without the king, he concluded there could be no king without a bishop, and he succeeded in fatally inculcating the lesson on his son, till he forced the English nation to try whether their affairs might not go on without either. It is a truth never to be lost sight of by a Scottishman, in reading the history of the Stuarts, that it was the struggle for unlimited tyranny on the part of the prince, and for freedom of conscience on the part of the people, which originated all the troubles, and that civil liberty in this country, is the child of religious freedom.

The king, having now obtained some respite from his ecclesiastical labours, retired to Falkland, to spend the vacation. While here enjoying himself in the amusement of hunting, his royal person became the object of a new conspiracy. At this distance of time, and without any additional information, it would be improper to endeavour rendering this inexplicable transaction more plain by conjecture. We must therefore transmit it as we have received it, only with this caution, that as our information is entirely derived from one side, and that the side whose interest it was to blacken the characters of the sufferers, we may be pardoned for not seeing clearly, either that the escape of the king was so miraculous, or the guilt of his host so transcendent as his majesty would have wished posterity to believe.

The authors of this attempt, were John, earl of Gowrie, and Alexander Ruthven, his brother, the sons of that earl who was concerned in the Raid of Ruthven, and who was judicially murdered under the administration of Arran. They had been restored to their honours and estates by James, and although they had not figured much in public life, at one time appear to have engaged the personal regard of the king; but they unfortunately enjoyed—what under weak princes is always a crime—the universal affection of the people. Their father's misfortunes had created an interest in their favour, which their courteous and liberal manners confirmed; they were exemplary in their conduct, and esteemed religious by men themselves sincere; they were adorned by all the accomplishments possessed by the nobility in that age, and had received a superior education, which was improved by travel-

ling ; open, generous, and brave, they might have been objects of envy, but were not persons who would have been suspected as conspirators. Yet, that they did engage in a conspiracy is certain ; the following are the particulars. Early one morning, as the king was about to follow his sport in the park, Alexander Ruthven accosted him, and informed him of his brother's having intercepted a person with a great quantity of foreign gold, whom he suspected to be a Jesuit, and prayed the king to come with him, as he did not doubt but he would learn something of importance from his examination. James, unwilling to lose the chase, wished at first, to send a commission to the magistrates of Perth, to examine the man, but Ruthven strongly urging that he should go thither himself, he promised to proceed as soon as the sport was over. After the death of the buck, the king, accompanied by the duke of Lennox, the earl of Marr, and a few attendants in their hunting dresses, set out for the earl's house. At a little distance from the town, Ruthven, whose behaviour during the whole time had been restless and perturbed, rode forward to inform his brother of the king's approach. The earl soon after, accompanied by a number of the citizens of Perth, met the king, and in a pensive and melancholy mood, conducted his majesty to his residence, apologizing for the want of preparation suitable to his dignity, by the honour being unexpected.\* After the king had taken a slight repast, and while his attendants were at dinner in another room, Alexander whispered in his ear, that it would now be a proper time to go and examine the stranger. On which he arose, and desiring Sir Thomas Erskine to follow, went with him. He was led to the foot of a staircase, which when he had ascended, Ruthven turned, and told Sir Thomas, his majesty did not wish his further attendance, then shutting the door, he led the king through a suite of rooms, the doors of which also he locked behind him, and at last brought him to a small apartment, where a man stood cased in armour, with a sword and dagger by his side. At sight of him the king, startled, asked if that was the person : "We have another business in hand," said Ruthven, seiz-

\* Spotswood, p. 458.

ing the dagger from the man in armour, and pointing it to the king's breast, "remember how my father was treated, now you must answer for it, submit without resistance or noise, else this shall avenge him." The king expostulated with Ruthven; "The deed," he said, "was done in my minority, I never approved of it, and if my blood is now shed, you cannot expect to escape." The man in armour stood all the while trembling, and Ruthven, whose mind had not been thoroughly made up to use force, or suddenly struck with the difficulty and danger of the attempt, hesitated, and after swearing the king to keep silence, he withdrew by a back passage, to consult with his brother. The attendants, who were impatient at the absence of the king, were told by one of Gowrie's servants, that he had set out for Falkland, and they ran to take horse, the earl urging his servants to hasten their departure. While this bustle was going forward in the street, Alexander Ruthven returned to James, and, telling him there was now no remedy but he must die, made an effort to bind his hands. The king resisted, and in the struggle, dragged Ruthven toward a window, which looked into the street, and which he had persuaded the person who was with him to open, while they were left alone together during Ruthven's absence, from which, perceiving the earl of Marr, he cried out with a wild and affrighted voice, Help! Earl of Marr, help! Treason! I am murdered! Marr and Lennox, on this ran, with the greatest number of attendants, to the main entry, but found the doors fastened, and it was some time before they could force an entrance, but Sir John Ramsay, ascending the back passage, which led to the chamber where the king was, was in the room in an instant. The king and Ruthven were struggling when he entered, and James called out to him as soon as he saw him, to strike the traitor, which he did twice, and thrust him out of the room. As he was descending the staircase, he was met by Sir Thomas Erskine, and Sir Hugh Herries, who asked him where the king was, and on receiving an ambiguous answer, killed him on the spot. During the scuffle, the man in armour had escaped unobserved. Sir Thomas Erskine and Herries, were followed by one Wilson, a footman, who had only time to shut up the king in a closet, when the earl of

Gowrie burst in with two swords, one in each hand, followed by seven well armed attendants, and threatened all with instant death, when some of them exclaiming, You have murdered the king, do you wish also to kill us? Gowrie, struck with amazement, pointed his swords to the floor, and remained stupefied. Ramsay perceived his consternation, and before he could recover, pierced him through the heart. The servants, seeing their master fall, ran, only Thomas Cranstoun, who was severely wounded, was detained prisoner. Erskine and Herries received slight hurts in the scuffle. The noise still continuing at the main door, when it was ascertained that it proceeded from Lennox, Marr, and their party, the king—who had ventured out of the closet, on hearing the danger was over—desired it to be opened, and after receiving their congratulations, he kneeled down in the middle, commanding them to kneel around, and “conceiving a prayer, gave thanks to God for his deliverance, and that the device of these wicked brothers was turned upon their own heads.”

The rage of the people, who were ardently attached to the earl, their provost, on hearing the fate of the two brothers, was unbounded. They flew to arms, and surrounding the house, called for the earl, threatening to destroy it, and all within it, if he were not delivered up to them. The king himself addressed them from the window, admitted their magistrates, with a number of the citizens, and explained to them all that had happened, and with no little difficulty, succeeded in pacifying the infuriated assemblage. Although the earl was killed, having been run through the body, no blood appeared. This circumstance, however, which might perhaps, have ranked among the other inexplicables in which the conspiracy is still involved, was explained in the account published by the king. A small parchment bag, full of magical characters, and words of enchantment, was found in his pocket, and “while these were about him, the wound of which he died, bled not; but as soon as they were taken away, the blood gushed out in great abundance.” \* In the evening, the

\* This constituted part of the narrative, which Robert Bruce was banished for not believing! Arnot more naturally accounts for the circumstance. Lord Gowrie had received the deep and mortal wound, by the thrust of a

king returned to Falkland, having left the two dead bodies in charge of the magistrates of Perth. Diligent search was made among the earl's papers, for any thing that might throw light on the conspiracy, or the number of the conspirators, but nothing could be found. Three of the earl's servants were executed for taking arms against the king, and aiding the conspiracy, but they all persisted in affirming, that they had no knowledge whatever of any plot, and had they known that the king's life was to be attacked, they would rather have shed their blood in defending him, than have been guilty of the smallest disrespect towards him. The important personage who had been concealed in the chamber, who, it was imagined, could make great discoveries, was in vain sought for. The agitation of the king had been so extreme, that he gave a wrong description of his appearance, and Younger, the earl's secretary, coming from Dundee, to clear himself from the imputation, was unluckily killed by mistake. At last, Andrew Henderson, the chamberlain, upon a promise of his life, confessed that he was the man, but for what purpose he had been placed there, he did not know. No clue could be obtained to unriddle the object of the conspiracy, nor was it known whether any other than Gowrie and his brother were acquainted with, or concerned in the plot. No reason could be assigned for this dark and desperate treason on the part of Gowrie; the king had restored him the estates of his father, and as if to atone for the injustice done the family, had made Alexander a gentleman of his bedchamber, and procured the marriage of their sister to the duke of Lennox; and, besides being unimpeachable in his conduct, he had no suspicious connexion with any party in the state; he had declared in warm terms, his gratitude to the king for his kindness, nor was there any reason to suspect him of hypocrisy. His abilities and his profession made him be looked upon as a young nobleman from whom his country might expect much, and in these troublous times, so big with portent to religion and liberty, he was fondly considered as one peculiarly fitted to be her hope and stay in the hour of small sword, and he had not immediately bled externally, but on his clothes and his belt being taken off, and the body being turned into different postures in the stripping, the blood had gushed out. *Crim. Trials*, p. 32.

danger. Whether it was most natural for such a nobleman to attempt the assassination of the king? or whether it was more likely for the king to wish to get rid of such a nobleman? were queries to which so mysterious an affair could not fail to give rise, and as the king's character did not stand very high for truth or honour, the nation was apt to draw the most unfavourable conclusions; and to this day, the fact of a conspiracy had remained doubtful, but for an incident which occurred nine years after, and which I shall here narrate, in order to give a complete view of the whole business.

A notary in Eyemouth, whose name was Sprot, had mentioned some particulars that implied a personal knowledge of the crime. These rumours, getting into circulation, reached the privy council, and they, deeming the matter worthy of their attention, ordered Sprot to be apprehended, in the month of April, 1608. When examined before the council and by torture, he persisted for about two months in denying the fact, or in contradictory statements, to which no credit was given. At last he confessed that Logan of Restalrig, a gentleman of large fortune, but dissolute morals, was concerned in the conspiracy with Gowrie, and a correspondence had been carried on between them by means of Barr, a confidential servant of Logan's, who inadvertently communicated the secret to him, and had shown him some of the letters from the conspirators, two of which he had purloined, one from Gowrie, and another from Logan, which the earl had returned after having read. Sprot was tried, and convicted upon his own confession, and hanged the same day he was convicted, lest he should retract. He, however, persevered, and having promised to give the spectators a sign of the truth of his deposition, he thrice clapped his hands after the executioner had thrown him over.

Logan and his servant were both dead, the two noble brothers, Ruthven, had suffered all that the law could inflict, and there remained only the innocent offspring of Logan who could suffer—The act which authorized the trial of a deceased traitor's memory, or the forfeiture of his estate, limited the time to five years after his death, and expressly declared that his treason should have been notorious during his life; neither of these

equisitions were observed in the trial of Logan; the strict form, indeed, was kept in the most odious and disgusting part of the letter, by digging up the mouldering bones of the accused, and producing them at the bar, but both the laws of humanity, and the law of the land, were outraged by the sentence, which declared his posterity infamous, and escheated his estate; nor was the sentence unanimous, till the urgent entreaties of Dunbar induced the lords of the articles to signify their assent with "tears of joy," to a verdict which was to wipe away every imputation from the character of the king, but which still left the subject of the treason involved in obscurity. The letters which Sprot had mentioned in his confession were not produced upon his trial; the judges appear to have doubted the truth of his tale, and seem to have hanged the unfortunate notary in a hurry, because they did not believe he was guilty, and were afraid of losing his evidence in support of a conspiracy for which the king's credit was pledged. Spotswood, who sat upon his trial as one of the assessors to the justice-general, was uncertain whether or not he should mention in his history the arrangement and execution of Sprot. "His confession, though voluntary and constant, carrying small probability, it seemed a very fiction, and a mere invention of the man's own brain; for neither did he show the letter, nor could any wise man think that Gowrie, who went about that treason so secretly, would have communicated the matter with such a man as this Restalrig was known to be;" but the letters, which were five in number, were afterward discovered among Sprot's papers, and produced before the privy council, where two were compared with papers of Logan's handwriting, and from their similarity, sworn to as Logan's, by persons well qualified to judge of their authenticity. The letters, however, although conclusive as to the fact of the conspiracy, afford no certainty as to its nature, but they plainly enough show that the death of the king was not the object; and the supposition of our latest historians is perhaps the most accurate:—That the scheme was limited entirely to obtain possession of the king's person, and gain the whole direction of the government, and that had it succeeded, it would have been a counterpart to the Raid of Ruthven. Yet even



this solution is liable to objection, from the circumstance of none of the nobility in Scotland being party to the plot, and the impossibility of Gowrie, without some very effectual assistance, being able to retain possession of the king long against his inclination.

Accounts of this transaction were speedily transmitted to Edinburgh, and the council, without waiting for particulars, summoned the ministers, and commanded them instantly to assemble the people, and return God public thanks for the king's preservation from this vile and horrible treason. When the deliberate and matured accounts of this conspiracy contained a number of extravagant and improbable circumstances, the first rumours cannot be supposed to have been very consistent; and when the king and some of the principal evidence did not agree in their details, after they had had time for reflection, it may easily be imagined, that an express, sent off under the agitation of the moment, might neither be remarkably clear nor convincing, either as to the magnitude or the reality of the danger. The ministers viewed the whole story with a very doubting and suspicious eye, and, refusing to be made the vehicles of conveying to the people, under semblance of a solemn address to God, the impression of a deliverance, in the truth of which they did not believe, they offered to give thanks for the king's safety, but declined doing more. "For nothing," they said, "ought to be delivered from the pulpit, but what was known and believed by the minister to be truth." As nothing could move them from this determination, the council proceeded to the Cross in a body, and the bishop of Ross, who was found more compliant, addressed a narrative of the king's danger and deliverance to the crowd, and offered up public thanksgiving.

Next Monday the king came to Edinburgh, and, accompanied by a considerable train of noblemen and gentry, went to the Cross, where Patrick Galloway, the minister of his own chapel, delivered a sermon, in the course of which he gave a full account of the conspiracy. The day after, his majesty, in a council held in the palace, set apart one thousand pounds of the yearly rent of Scoone, to be distributed among the poor annually, as a memorial for ever of his gratitude for this

special interposition of providence; an order was at the same time issued for public and solemn thanksgiving, to be offered up in all the churches in the kingdom, on the last Tuesday of September, and the Sabbath following. Yet still the ministers of Edinburgh, and many of their brethren, continued incredulous, and the more anxious the king was to enforce belief, the more extensively did he increase suspicion. Stronger arguments were then resorted to. All who would not give their assent to the royal statement, were commanded to remove from Edinburgh within forty-eight hours, and prohibited from preaching within his majesty's dominions under pain of death. Against this mode of reasoning it is difficult to contend, it sometimes biases very strong minds; and the ministers of Edinburgh, all but Robert Bruce, were induced to declare themselves satisfied of the reality of a treasonable attempt having been made upon the king; but their unbelief was only forgiven upon condition of their declaring in certain churches, their persuasion of the truth of the treason, begging pardon publicly of God and of the king for having ever doubted, and seriously rebuking all such as still hesitated to believe. Bruce, with a firm, unbending courage, worthy of the name, refused to compromise his integrity. All that the threatenings, arguments, or promises of the court, could induce him to say, was that:—"He would reverence the king's account of the accident, but could not say he was persuaded of its truth." Instead of producing evidence which would have silenced every objection, or yielding in the least to conscientious scruples, James was determined that Bruce, whether he believed it or not, should declare that he did. "Will cannot be restrained," replied Bruce in one of his conversations with the king, "I might lie unto you with my mouth, but I cannot trust without evidence." "Then I see you will not believe me," said James. Bruce, who could not say that he would, was banished to France.

Parliament, less scrupulous than the ministers, proceeded immediately to forfeit the inheritance of Gowrie, and inflict on the inanimate bodies all the contumely awarded traitors. The carcasses of the two brothers were produced in court, an indictment preferred against them, witnesses examined,

and all the routine of a legal trial gone through; they were sentenced, carried to the cross, hung upon a gibbet, quartered, and the ghastly heads affixed on the tolbooth; the very name itself was abolished; and to hand down to all future ages the memory of the most wonderful escape, it was ordained that the 5th day of August should be kept yearly in all times and ages to come, by all subjects of the realm of Scotland, as a perpetual monument of their most humble, hearty, and unfeigned thanks to God, for this miraculous and extraordinary deliverance from the horrible and detestable parricide, attempted against his majesty's most noble person.\* In this parliament four ministers voted as bishops.

As the prospect of James' mounting the English throne drew nearer, his connexion with the courtiers of Elizabeth grew closer, and he became deeply interested in the intrigues of her cabinet. But in his intercourse with the parties into which her ministers and favourites split, James' timid, temporizing policy, was perhaps of some service, as it led him to flatter the hopes of each, while he committed himself to none. For some time two rivals, of very different character, had aimed at superiority—the earl of Essex, and Sir Robert Cecil, son of lord treasurer Burleigh; the one an open, brave, high spirited nobleman; the other an assiduous, able, and insinuating courtier. In their struggles for power, Essex attached himself to the king of Scots, Cecil cultivated the favour of his mistress; and while the first sought to attain his end by his impetuosity, the latter gained his object by his patient prudence. The means by which the crafty secretary obtained the advantage over the more unguarded soldier, belongs to English history. But when driven to despair, the latter attempted to regain by violence an ascendancy in the government; he endeavoured to link his fortune with that of the Scottish monarch. Previously to his breaking out into open insurrection against his sovereign, he had written to James, informing him of some surmises, respecting an attempt to be made in favour of the Spanish Infanta's claims to the crown of England, and urging him to take arms and assert his right;

\* Calderwood, p. 446. Robertson. Laing. Spotswood.

but James wisely refused to hazard a certain succession by a premature attempt, and although he encouraged the correspondence of the earl, he did not approve of any of his rash proposals. Disappointed in obtaining the concurrence of the Scottish king, he, with a few followers, attempted to force his way into the presence of his sovereign, and dictate to her the choice of her advisers; but he had miscalculated upon his strength, and failing in his enterprise, atoned for his rashness on the scaffold.

James, as soon as he heard of the apprehension of Essex, sent off the earl of Marr, and Bruce, abbot of Kinloss, as ambassadors extraordinary to England, with instructions to intercede in behalf of Essex; but before they reached London, that unfortunate nobleman had perished by the hands of the executioner, and the Scottish ambassadors, finding they came too late to save the earl, congratulated the queen on her happy escape from such an audacious conspiracy. Elizabeth, although she was not unacquainted with the king's correspondence with Essex, received the congratulations of the legation with great apparent cordiality, and added two thousand per annum to the pension she allowed James, as a mark of her increasing esteem. The ambassadors remained for some time in England, and in private confirmed the inclinations of the English nobility, who now, as Elizabeth's days began to draw towards a close, turned their eyes towards the rising sun, and offered him assurances of their attachment and support. Cecil too, about this time, made advances towards them, and opened a cautious correspondence with the king of Scots, who had now the pleasure of seeing all the obstacles, which had threatened to interrupt his ascent to the British throne, daily vanishing, and a general feeling in his favour, smoothing his way to the long and ardently wished for succession.

Amid this exhilarating prospect, the only dark spots arose from the Roman Catholics, whom James had so unwisely courted. The pope, who was also anxiously looking for the decease of Elizabeth, sent briefs to England, warning all who professed the Romish faith, to acknowledge no man as king after the queen's death, whatever his right by blood, unless he should swear to promote the Catholic, Roman religion to

the utmost of his power; and Hamilton and Hay, two active intriguing Jesuits, arrived about the same time in Scotland to disseminate similar sentiments, and continued for years to find countenance and protection in the north. A temporary chagrin at this conduct, and a sense of the dissatisfaction which his Scottish subjects felt at the treatment of the ministers of Edinburgh, on account of the Gowrie case, many of whom sympathized both with their incredulity and sufferings, appear to have awakened in the king's bosom a glow of affection towards the simpler, but more friendly and honest institutions of his native land. At a meeting of the general assembly, which was held at Bruntisland, after the ministers had been deliberating on the causes which had produced a defection from the purity, zeal, and practice of the true religion in all the states of the country, and on the remedies for these evils, the king rose, and with tears confessed his offences and mismanagement in the government of the kingdom; and lifting up his hand, he vowed, in the presence of God and of the assembly, that he would, by the grace of God, live and die in the religion presently professed in the realm of Scotland, defend it against its adversaries, minister justice faithfully to his subjects, discountenance those who attempted to hinder him in this good work, reform whatever was amiss in his person or family, and perform all the duties of a good and Christian king better than he had hitherto performed them. The members, at his request, pledged themselves for the discharge of their duty, and this mutual vow was next Sabbath published from the pulpits as a proof of the sincere harmony subsisting between the king and the church.\*

About the same time, a plan was projected for civilizing the Western Islands. These islands remained in a state little removed from barbarism, under a merely nominal subjection to the crown of Scotland. The conflicts of the clans were carried on there with circumstances of horrid cruelty, without regard to the mandates of a power whose feeble arm could not reach them, and the king, who "thought no other of them all than as wolves and wild boares," considered them as

\* Calderwood, p. 456. M'Crie's Life of Melville, vol. ii. pp. 174-5.

more incapable of culture in their native soil, and whom it would be necessary to transplant to a more favourable situation to learn civilization, concurred in the measures for this purpose. A number of gentlemen, chiefly belonging to Fife, either suggested or seconded the plan of removing the inhabitants to the continent, and supplying their place with more industrious Lowlanders; and having obtained a charter from his majesty, confirmed by parliament, they undertook to plant colonies in Lewis. They were induced to do this from the account they had received of the fertility of the island, and the distracted state of the inhabitants, owing to a dispute about the succession of the chieftain. Rory M'Leod, the old chief, had married a daughter of M'Kenzie's of Kintail, by whom he had a son named Connal; but divorcing her, he declared her son illegitimate, and married a sister of the chief M'Lean, by whom he had two sons, Torquil Dhu, and Norman; besides these, he had three children, Niel, Rory, and Murdo, by other women. On his death, Torquil Dhu seized the island, and was acknowledged by the inhabitants as lawful heir, and Connal, retiring to his mother's kindred, besought their assistance to conquer his rightful inheritance; but as Torquil was the favourite of the clan, it would have been dangerous, if not desperate, to attempt attacking him openly. He was, therefore, enticed on board a Dutch vessel, which some of Connal's friends had piratically seized, and while waiting, as he supposed, for a banquet, was made prisoner along with all his attendants, carried to the peninsula of Kintail, and treacherously put to death. On this, the bastard brothers, Niel and Murdo, declared for Norman, and took possession of the island in his name; and Connal seeing no hopes of establishing himself, surrendered his right to M'Kenzie, lord Kintail. At this juncture the colonists arrived in Loch Stornoway. On their landing they were opposed by the M'Leods, but soon dispersed them, and commenced building a village near where the town of Stornoway now stands. Learmont of Balcolmy, having seen the operations commenced, embarked on board one of the largest vessels to return to Scotland for stores; but while his vessel lay becalmed, and suspecting nothing, he was suddenly attacked by a

fleet of Birlings \* under Murdo, boarded, and all in the ship killed except himself, who was taken prisoner, and detained till ransomed by his friends. The remaining settlers had detached Niel, who, enraged at receiving none of the plunder from Murdo, was induced to betray his brother. Having taken him with twelve of his retainers, he delivered him into the hands of the colonists, and beheaded the others upon the spot. Murdo was sent to St. Andrews, where he was tried and hanged. The colonists, now thinking themselves secure, made a partition of the lands, and forced the natives to swear allegiance; but while they were proceeding quietly with their settlement, they were unexpectedly attacked by Norman M'Leod, their buildings plundered and set on fire, and themselves forced to make a formal resignation to him of all their pretended right to the island; to engage to procure for him a free pardon from the king for all their past conduct; and to leave as hostages Sir James Spence and Thomas Monypeny of Kinkell, till the conditions were faithfully fulfilled. Sir James Anstruther was then allowed to depart with the wretched survivors, and obtaining from the king the promised pardon, the hostages were delivered up. Thus the whole attempt was rendered abortive.

What might have been the success of this plan, had the colony been established, it is needless to conjecture, but it must have been expensive and slow, and attended with much bloodshed.† On this account, perhaps, the failure is scarcely to be regretted, but it is impossible not to lament that the attention of the church of Scotland should have been diverted by vexatious disputes, from the more peaceful plans which they had formed for civilizing the natives, by again enlightening them by the introduction of knowledge into these isles, whence the first rays of Christianity had beamed on the regions of the north. In the year 1597, the general assembly had under their consideration, the condition of the Highlands and Islands of Scotland, and if any judgment may be formed from the report of those of their number

\* Small boats peculiar to these islands.

† Spotswood, p. 463. Conflicts of the clans.

who visited the north, or if any similar disposition existed in the Hebrides, they might have been brought within the pale of the community, and rendered quiet and useful subjects, with little expense to the state. The chief of the clan M'Intosh, offered to support what ministers might be sent to instruct his vassals. "Get me men," said he, "and I will give you surety, both for the safety of their persons, and the payment of their stipends," and a general desire for instruction was represented as pervading all the population.\* It James suggested the project for civilizing the Hebrides, he seems to have given up both the Highlands and Borders in despair, reserving their amelioration, till armed with the power of England, a period which was now fast approaching.

Elizabeth, who, during her long reign, had enjoyed an almost uninterrupted state of good health, began, during the winter, to exhibit symptoms of approaching dissolution. Her appetite failed, she could not sleep, and a settled dejection took possession of her mind; she courted solitude, and shunned company, sat constantly in the dark, and was often in tears. Various reasons were assigned for her melancholy, but what now has obtained most credit is, that some incidents occurred, which discovered the malice of Essex' enemies, and the arts by which she had been induced to sign the death warrant of a man she tenderly loved. When Essex stood highest in her favour, he hinted, in one of their fond interviews, the possibility of losing her affection, through the insidious arts of rivals in his absence, when she, pulling a ring from her finger, gave it him as a pledge of her constancy, and assured him, into whatever misconduct he might be betrayed, or however misrepresentation might prejudice her against him, that ring would procure him a favourable hearing, and recall her kindness whenever it was presented. After his condemnation, he resolved to try the efficacy of this gift, but by mistake it was intrusted to the countess of Southampton to deliver, and her husband, who was one of Essex' most implacable enemies, prevailed on her to keep back the important message. She did so, and Elizabeth, disappointed

\* James Melville's Diary, quoted by Dr. M'Crie, *Life of Melville*, vol. ii. p. 177.



in this last appeal, which she attributed to his obstinacy, in a moment of irritated pride, was persuaded to consent to the death of a person, who, she thought, disdained to ask for mercy. Struck with remorse, the countess on her deathbed, begged an interview with the queen, and, entreating her forgiveness, discovered the fatal secret. Elizabeth, in an agony shook the dying countess in her bed, exclaiming, "God might pardon her, but she never could." From this date, she resigned herself entirely to the melancholy suggestions of hopeless regret. She refused food and sustenance, nor could she be persuaded either to go to bed, or take medicine. Her deep sighs and groans declared the pangs of an incurable sorrow, which she could not conceal, but was unwilling to communicate. The anguish of her mind soon preyed upon her body, and the issue of this inward torture appeared neither distant nor doubtful. Her council having assembled, sent a deputation to know her intention as to her successor, to whom she answered, that her throne had been the throne of kings, and she would have no mean person to sit upon it; and on Cecil requesting her to be more explicit, she asked, who could she mean but her nearest relative, the king of Scots? Being then admonished by the archbishop of Canterbury, to fix her thoughts upon God, she replied that she did so, nor did her mind wander in the least from him. Soon after, she sunk into a kind of slumber, from which she never awoke. She died in the seventieth year of her age, and in the forty-fifth of her reign, on the 24th day of March, 1608, and on the same day, the king of Scots was proclaimed at Whitehall, and at the Cross in Cheapside, king of England.

As a queen, Elizabeth's long and successful reign, justifies the encomiums which historians have paid to her prudence and wisdom. The vigour of her administration, and the propriety with which she chose her counsellors, her dignified deportment, and independent frugality, the respect which England commanded abroad, and the increasing prosperity enjoyed at home, claim, and have received their just meed of praise. Her policy towards Scotland, was of a more doubtful character, nor can her attention to preserve a balance between the rival factions in that unhappy country, and the

consequent bloodshed of which this equipoise was the occasion, be mentioned without censure. Her treatment of Mary was inhospitable, unjust, ungenerous, and inhuman.

Sir Robert Carey, lord Hunsdon's youngest son, brought the first intelligence of the queen of England's death to James. After being five years warden of the middle march, he paid a visit to court in the last winter of the queen's life, and perceiving her declining health, formed the resolution of being the first messenger of the tidings. He set out from London on the day she died, and travelling without intermission, arrived in Edinburgh on Saturday at night, just as the king had gone to bed. He was immediately admitted to his majesty, and kneeling by his bedside, informed him of Elizabeth's death, and was the first person in his dominions, who had the honour of saluting him king of England, Scotland, France, and Ireland. He confirmed his despatches, by presenting his new sovereign with a ring, that his sister, lady Scroop, had taken from the finger of the deceased queen. James received the news of his elevation with a composure, which his preparatory expectation enabled him, without much exertion, to preserve, but as Carey was only a private messenger, he did not make it public, till the arrival of a regular notification.

All England was prepared for the accession of the Scottish king, and their sorrow at the loss of their queen, was swallowed up in the high expectations they formed of their new monarch. The privy council, as soon as they possibly could, despatched Sir Charles Percy, brother to the earl of Northumberland, and Thomas Somerset, earl of Worcester's son, with a letter to the Scottish king, signed by all the peers and privy counsellors then in London, containing an official account of the queen's death, and of the joy which the proclamation of his accession had occasioned in London. They arrived three days after Carey, and the king's titles were then solemnly proclaimed. James immediately prepared to take possession of his new kingdom; he intrusted the government of Scotland to the privy council, and the care of his children to several noblemen, the Prince to the earl of Marr, Charles, duke of Albany, to the president of the session, and Elizabeth to the earl of Linlithgow, and appointed

the queen to follow in about a month. On the Sabbath following, he attended in the church of St. Giles, where a sermon was delivered by Mr. John Hall, in which he recounted the numerous mercies his majesty had received, and as none of the smallest, he noticed his peaceable succession to the crown of England, evidently the work of God's own hand, who had directed the hearts of so numerous a people to exhibit such unanimity in his righteous cause, and therefore exhorted him to thankfulness, and a steadfast adherence to maintain God's truth. After sermon, the king rose, and addressed the congregation in a long valedictory oration, made many professions of unalterable affection for his people, and promised frequently to revisit them, once in the three years at least, to take an account personally of the proper execution of justice among them, to gratify them with a sight of his royal person, and afford them an opportunity, from the meanest to the highest, of pouring their complaints into his paternal bosom, and even when absent, he would never forget he was their native prince, assured them he would not change their ecclesiastical polity, and promised, as God had promoted him to greater power, so he would use it in endeavouring to remove corruption.

At such a time, amid the exultation of all ranks on his great fortune, it was expected that the king would have passed a general act of oblivion, and forgotten for ever the offences which had occurred during his encroachments on the church, but he carried his animosities with him, and left not one token of forgiveness behind him. Robert Bruce, after the Scottish parliament had found Gowrie guilty of the treason, declared his willingness to acquiesce in their sentence, and had been allowed to return to his native country, but not restored to his office. By the advice of his friends, he now came to Edinburgh, and by the king's own invitation, had an interview with him, yet he obtained no mitigation of his sentence. Andrew Melville was left in ward at St. Andrews, and John Davidson in Edinburgh.

On Tuesday, the 5th of April, he set out on his journey, accompanied by the duke of Lennox, the earls of Marr, Moray, Argyle, and a number of other noblemen, the bishops

of Ross, Dunkeld, and several of the ministers, besides many barons, and gentlemen of inferior rank. At Haddington, he was met by a deputation from the synod of Lothian, to whom he renewed his assertions, that he did not intend to make any further innovations in the church, and desired them to tell their brethren, that it was his anxious desire to promote peace, and he hoped they would live together in unity. On the first day he lodged at Dunglas, the house of lord Hume, and next day, his train swelling as he went along, proceeded towards Berwick. On the boundary he was received by the marshal, Sir John Carey, accompanied by the garrison, who saluted him with several volleys of musquetry, which were answered by the cannon on the walls, while the shouts of an immense multitude, mingled with, and almost equalled the thundering welcome. As the king entered the gates, the keys of the town were delivered to him by William Selby, the gentleman porter, whom he knighted on the occasion. He was received at the market-place by the mayor, who presented him with the town's charter, and a purse of gold. From the market-place he went to the church, to give God thanks for granting him a peaceable entrance into his new kingdom. Next day he visited the fortifications, port, and magazines, and reviewed the military. While here he was called upon to exercise his authority, intelligence being brought of some serious disturbances, created by a formidable banditti, about three hundred strong, in the western marches, who extended their ravages as far as Penrith. To repress these outrages, he despatched Sir William Selby, with two hundred foot, and fifty horse of the garrison, empowering him to require assistance from all the troops on his line of march, English and Scottish, by which means, Selby soon found himself at the head of a formidable force, at whose approach the plunderers fled, and the chiefs being taken, were sent to Carlisle, and executed.

During the rest of the king's progress, all ranks vied in their demonstrations of joy, and the nobility of the counties through which he passed, entertained him with the most splendid magnificence. From Berwick to London occupied a month, and on his arrival in the capital, so delighted had he been

with his reception on the road, that he compared it to a continued hunting excursion. On the 7th of May he entered the metropolis, amid the acclamations of immense multitudes. Thus were the two rival nations, whose deadly quarrels had so long deluged the island with blood, united under one monarch. Yet was not the union accompanied immediately by those advantages, which at first sight, and to a superficial view, it seemed so well adapted to promote. It had been confidently anticipated, that the subjects of one monarch would forget all mutual animosity, and the king himself was highly charmed with a quibble he delighted to repeat, that his accession had turned the borders of hostile nations, into the heart of one loving people.

Inhabiting the same island, sprung from a kindred root, and speaking a similar language, it did not appear being too sanguine, to reckon upon a speedy and cordial coalescence between the English and the Scots, especially as during the whole reign of Elizabeth, there had been constant peace between the two countries, and both, during the last years of her life, had looked forward to the event with expectation, while a concurrence of fortunate circumstances had smoothed the way to its accomplishment, without any of those irritating incidents, which frequently attend less important transfers of property or power. Yet, by a little attention to the relative situation of the countries, it will be easily perceived, that there were a sufficient number of opposing points, to render it a matter of no surprise, that a century should elapse, ere the component parts of this homogeneous mass, should amalgamate into one solid indestructible body.

Inured to rapine and licentiousness, the spirit of the borderers could not at once be suppressed, or their habits altered, and having been more accustomed to observe the movements of their neighbours, than consult the regulations of their rulers, they were inclined in general to disturbance, by rapacity of disposition, or mutual provocation, without reference to the friendship or hostility of the two governments. Time, therefore, was requisite to introduce a sense of common honesty, among men who were wont to consider force as right, to habituate them to a regular distribution of justice, and re-

concile them to the pursuits of honest industry. Nor are the antipathies which spring up among nations, who, for centuries have been in use to consider themselves as natural enemies, which are incorporated with the education, and handed down in the sports of the children, easily eradicated from the minds even of the well informed part of the community, nor are they at once to be rooted out, by the mere accident of being united under one prince. The English had been taught to look upon the Scots as their vassals, over whom they had a right of superiority, and the pride of national independence, which the Scots had so long struggled for, induced them to eye all the advances of the English with suspicion. The nobles, partaking of these feelings, became more envious, and their rivalry more rancorous, than is common among the polished hypocrites, who alternately flatter and betray each other in the courts of their native princes. The English, who had hitherto solely filled the highest offices in the state, looked with jealousy upon the Scots, who were admitted to places of honour and trust, and the Scots, who, in the exaltation of their king to the throne of England, had considered that kingdom as an acquisition which would enable him to gratify their ambition, imagined themselves to have the first claim on the royal munificence, and viewed with chagrin, every drop of the current that flowed past them. The English were accustomed to despise the Scots as a poor, and the Scots to envy the English as a rich people, and the intercourse between the middling and lower ranks of both countries had been so circumscribed, that an interchange of good offices, or a knowledge of each other, had not weakened the mutual prejudices of either. At that time, trade and commerce too, were becoming of importance, and as in their infancy, the advantages are always attempted to be secured to one party by restrictions, and the free interchange of commodities between nations for their mutual advantage, which, even in this self-styled enlightened age, is but partially practised, was not then understood. The narrow views, and selfish policy of the merchants and legislatures, loaded with restrictions, the imports and exports of the two nations, and Scotland and England, standing then in the position of stran-

gers, lately enemies, the mistaken jealousies of trade, were added to the other causes of distrust and suspicion.

These considerations might have checked the ardent expectations of speculators upon the immediate practicability of incorporating the two nations; but in nothing are men so apt to be deceived as in political theories. Unfortunately such is the intractability of the material, that, however beautiful the elevation, and well arranged the plan may be in the drawing, scarcely one of the superstructures, which political architects have attempted to rear, at once, and by previously laid down rules, have either been convenient or durable. We are indebted to the arrangement of circumstances, and the adaptation of means to the end, by that over-ruling "providence which ever shapes our ends, rough hew them as we may," for almost all that is valuable in the constitution of society, or the formation of governments. It is humbling to reflect how little either of national prosperity or happiness has been the result of human foresight; or how little rulers and people are taught wisdom by experience.

# THE HISTORY OF SCOTLAND.

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## Book III.

SCOTLAND, at the accession of James to the English throne, presented an extremely wretched picture of a factious, poor, ill-governed kingdom, hastening to anarchy, and surrounded with barbarism. The borders were inhabited by lawless banditti, who lived by rapine and plunder. The Highlands were possessed by a different race, of a strange language, but equally unacquainted with the restraints of government, or the manners of civilized life, their kindness was limited to their clan, and their loyalty to their chief; and the gloomy indolence of the mountains was only interrupted by conflicts among the ferocious chieftains, or plundering incursions on their wealthier neighbours. The islands were the haunts of, perhaps, more unreclaimed savages than either, whose piracies infested the western coasts, and who were often troublesome, but seldom advantageous to the Scottish crown. The Lowlands, harassed by the licentiousness which a weak government, and the partial administration of justice, never fail to produce, were, besides, distracted by religious dissension, which the mischievous, intermeddling policy of their polemical king increased and prolonged.

Nor was the accession of James productive of any of the expected advantages. Its first effects were hurtful. The loss of the pageantries, trappings, and immediate retainers of the prince, was severely felt in a metropolis which had no commerce, and hardly any other source from which to supply the deficiency thus occasioned in the circulation of



money, and the consequent want of employment among the lower ranks, many of whom depended for subsistence upon the expenditure of the royal retinue. The removal of the king to a more wealthy country increased the splendour of the court, and the nobles of his poorer state, attracted round him by the hope of advantage, were induced to imitate the manners, and rival the expense of their richer competitors for royal favour. They thus exhausted their fortunes at a distance, and impoverished their tenants, by drawing from them the supplies necessary to support their rank in their visits to England; and the intercourse between the two nations being so slender, the money expended never returned to Scotland, whose exports, limited to a few raw materials, were insufficient to replace the continual drain. The cessation of hostilities between the two nations, and the pacific maxims of the monarch, diminished the importance of military followers among the nobles, and the produce of their estates, heretofore consumed in rude and plentiful hospitality on the spot, was now converted into money, and expended on foreign luxuries and artificial grandeur, in a distant capital, where it did not produce half the influence or the power, but, while it was doubly exhausting to the vassal and his lord, ruptured the ties that held them together, and in depressing the cultivators of the soil, at the same time reduced the noble, from the proud station of a chief, to the mean and beggarly rank of a courtier, constraining him to act the tyrant to his dependants, and in turn bow the knee to a master.

James was fully aware of the difference in his situation; which the possession of the wealth and power of England had produced; and he was not a prince to forego any opportunity of exerting or extending his prerogative. He accordingly employed the means which his personal aggrandizement afforded him, to support the despotic claims he had advanced while in Scotland, but which his circumscribed finances had hitherto prevented his being able to sustain; and the Scottish nobles, who had alternately resisted and obeyed his mandates in his native kingdom, now, either dreading the effects of his vengeance, or courting the favour of his good fortune, re-

ceived his commands without a remark, and obeyed them without a murmur.—To the church the union of the two crowns was peculiarly disastrous, as it enabled the king to allure and reward deserters from the ranks of presbytery, and facilitated the introduction of the Episcopal form, whose dignitaries, being his own creatures, he found at all times supple and subservient to his purposes of encroachment.

A few weeks after his arrival in London, the king was joined by his queen in no pleasant mood. On his journey, which had been prolonged beyond his expectation, he despatched John Spotswood, created archbishop of Glasgow, in room of Beaton who had died at Paris, to attend her on her journey; but the family of Marr, to whom the care of her eldest son, prince Henry, had been intrusted, refused to allow him to accompany his mother to England, and the queen, incensed at the treatment, fevered and miscarried; nor was it till about the end of the month of June that she could with great difficulty be prevailed on to see the earl, previously to the coronation. When his majesty advised her to thank God for the peaceable possession they had obtained of the kingdom of England, which, he said, was chiefly owing to the earl's good offices in his last embassy, in wrath she replied—for she seems to have been a woman of high spirit—"She would rather never have seen England, than have been beholden to him for it." This affair was brought before the council, and an act passed, on the humble submission of Marr, declaring:—That he had done nothing in that business derogatory to the honour of the queen, as the refusal, on the part of his family to restore the prince to his mother, was without his knowledge.

This domestic incident was not the only untoward circumstance that occurred previously to the coronation. A conspiracy, still unexplained, was detected, for which two Catholic priests, lord Gray a Puritan, lord Cobham, and Sir Walter Raleigh, men of very opposite principles, were brought to trial. The two priests were executed, lords Gray and Cobham pardoned after they were upon the scaffold, and Sir Walter Raleigh reprieved and confined to the tower, but after an interval of fifteen years, to the everlasting infamy of

James, he was beheaded, upon this sentence, although the evidence of his participation, or even accession, to the conspiracy was more than doubtful.\*

At last, on the 27th of July, St. James'—his saint's day—amid the desolation and melancholy occasioned by a terrible pestilence, the king and queen were solemnly inaugurated at Westminster; but the splendid pageants, erected in honour of their majesties, through which the procession passed, were left without spectators, and the terrific annunciations of death were heard in the solitudes of one part of the city, while the royal cavalcade was hurrying through the streets of the other. Immediately after the coronation, the king issued a mandate, forbidding the nobility to repair to London before winter, and the court left the capital.

Long ere he left Scotland, James had meditated a union between the two kingdoms, but he considered uniformity in religious worship as a prerequisite to accomplish, or at least what was necessary to consolidate his scheme. In England, as in Scotland, there were two parties in the church—the one entirely subservient to the court, the other differed from them in several points of polity and worship, and from the greater strictness of their lives, doctrine, and discipline, were denominated Puritans.† These last, considering that James

\* Prince Henry is reported to have said, when once speaking of Sir Walter Raleigh: "I wonder at my father. Oh! were I a king, I would not keep so noble a bird in so vile a cage."

† The scrupulousness of the Puritans has been ridiculed as if they contended merely for trifles, and philosophers now smile at the pertinacity with which they refused to conform to the cut of a robe, or the use of a ceremony which may be considered as unimportant. The defenders of high church principles, who attempt to extenuate the conduct of the king and bishops, by representing the subjects of dispute as trifles, unintentionally pronounce the severest censure upon those who so rigorously enforced them; nothing but the most downright despotism, the veriest wantonness of tyranny, would persist in forcing another to obey in a trifle of no importance, merely for the pleasure of extorting obedience, when the other accounted that trifle a matter of conscience. But the Puritans had studied human nature too deeply, and were too well acquainted with the influence that show and form have upon the multitude to account either trifles; nor do they deserve the name of philosophers who affect to despise them. In politics in our day, we have seen what fearful energy they can be made to possess. A cockade, or short hair, are

had been educated among the presbyterians, with whose tenets they in general coincided, had hailed his accession to the English throne, as friendly to their freedom. He, although he had condescended to flatter them before he got into power, viewed them both with jealousy and distaste, as hostile to his high monarchical principles. As the Puritans occupy so prominent a place in the succeeding part of this and in the following reigns, it may not be improper to give a short sketch of their history and opinions, contrasted with those of their opponents, the high church party.

In the reign of Edward VI. the English reformers divided into two parties, the one wished entirely to root out popery, the other merely to lop off a few of the most obnoxious branches. While Edward lived, the former had the ascendant, at his death, on the accession of Mary to the crown, those of both parties who could escape, fled to the continent, and at Frankfort, where they found refuge, their disputes were revived, and carried to a hurtful and disgraceful height. When Elizabeth succeeded her sister, the exiles returned, but their dissensions returned with them. The queen, who as Knox describes her, was neither true Protestant, nor resolute Papist, was fond of the pomp of the Romish ritual, though, from political motives, an enemy to the adherents of the pope, she, therefore, retained in the church service, the copes and other garments which had been laid aside in the last years of her brother's reign, and kneeling at the sacrament, which had been left as a matter of indifference, was, by an act for the uniformity of common prayer, and service in the church, and administration of the sacraments, authorized as the only proper posture for receiving the holy communion. Those who wished for a simpler and purer mode of worship, began now in derision to be styled Puritans. The difference between the court Reformers and the Puritans, were such as

certainly in themselves as unimportant matters as a cope or surplice; yet who would have said that that person was contending for a trifle, who should have insisted that official men in Ireland were to appear in a tri-coloured cockade, or cropped; and these were not deemed surer marks of affection to French principles and anarchy, than copes and garments were esteemed badges of distinction among the adherents of Rome.

subjected the latter to severe persecution, till carried to an extreme, it roused a spirit of resistance, and the throne was overturned in the struggle. The court Reformers asserted, that every prince had authority to correct all abuses of doctrine and worship within his own territories. The Puritans would not admit such extensive power to belong to the crown, or that the religion of the whole nation, should be at the disposal of one single lay person. The court Reformers allowed the church of Rome to be a true church, though corrupt in some points of doctrine and government, and the pope to be the true bishop of Rome, though not of the universal church. The Puritans affirmed the pope to be antichrist, the church of Rome to be no true church, and all her ministrations to be superstitious and idolatrous. Both allowed that the Scriptures were a perfect rule of faith, but the bishops and court Reformers, denied that they contained the standard of discipline, or church government, affirming, that our Saviour and his apostles, left it to the discretion of the civil magistrate in Christian nations, to accommodate the government of the church to the policy of the state. The Puritans considered the Scriptures to be a standard of church discipline, as well as doctrine, at least, that nothing should be imposed as necessary, but what was expressly contained in, or derived from them, by necessary consequence, but if there were any discretionary power left any where, it rested not with the civil magistrate, but was vested in the spiritual officers of the church. The court Reformers maintained, that the practice of the primitive church, for the four or five first centuries, was a proper standard for church government and discipline in some respects, better than that of the apostles, being more fitted to the splendour of a national establishment, and therefore, retained the titles of archbishops, metropolitans, archdeacons, suffragans, rural deans, &c. &c. The Puritans were for keeping close to the Scriptures; they considered the example of the apostles as what they were bound to follow, who, they apprehended, had ordered the form of church government to be aristocratical, and formed after the model of the Jewish. Court Reformers maintained, that things indifferent in their own nature, such as rites, ceremonies, or habits, might

be settled, and made necessary by the command of the civil magistrate. The Puritans insisted, that the things left indifferent in the Scriptures, ought not to be made necessary by any human law, but that such rites and ceremonies as had been abused to idolatry, were not to be considered as indifferent.\*

Such were the opinions of the two parties at the accession, and these James wished to reconcile before he made any attempt to produce a conformity between the Scottish and the English churches. The Puritans, presuming upon the king's professions, urged their petitions for liberty of conscience, and reformation of abuses, with a freedom and a frequency, which displeased his majesty. The Episcopalians, who dreaded the effects of his Scottish education, though they might well have known from his publications, the bent of his affections, took a safer method to ensure the royal favour. On every occasion they flattered all his prejudices, maintained that monarchical government should be absolute, listened to his declamations with wonder and admiration, and carried their servility so far, that in addressing him, they frequently fell upon their knees, and used language, which if not profane, bordered on the very verge of profanity, and is such as it is not possible to read without a blush. †

The king, who, during his progress, had promised to at-

\* Neal's History of the Puritans, vol. i. pp. 134—137.

† It would perhaps, be going too far to assert, that there is any *necessary* connexion between Episcopacy and despotism, but it is impossible to read this portion of our history, or indeed any part of our history under the Stuart dynasty, after the accession, without perceiving an intimate and close connexion between Prelacy in the church, and tyranny in the state. The doctrine of the bishops was passive obedience, their practice, servility. Ye are the light of our eyes! Ye are the breath of our nostrils, was the Prelatic flattery in England; to which James most graciously replied, that he never had met with such a set of sensible, grave men in his life; he was now in the land of promise; in his native country, he had absolutely been contradicted by beardless boys! When Prelacy was introduced into Scotland, the same spirit came along with it. Archbishop Gladstones, in a letter to James, styles him, "His earthly creator," and he frankly acknowledges, that the members of that hierarchy were constrained to support *every* measure of the king, because, "no estate may say that they are your maj. creatures as we may say, so there is none whose standing is so slippery when your maj. shall frown, as we; for at your maj. nod, we must stand or fall." Calderwood, p. 645.

tend to the petitions of the Puritans,\* either in order, apparently to fulfil this promise, or to display his own theological knowledge, and overwhelm all opposition by the strength of his arguments, or the power of his majesty, appointed a conference to be held at Hampton court, between the chief leaders among them, and his principal bishops.

At this conference, which took place 14th January, 1604, James exhibited himself in the double capacity of umpire and advocate. The whole had been previously arranged with the bishops, and the king's declaration at the opening of the meeting, clearly evinced that the Puritans were not called upon to reason, but to submit. He told them, "that following the example of all Christian princes, who usually began their reigns with the establishment of the church, he had now, at entering upon the throne, assembled them for settling a uniform order in the same; for planting unity, removing dissensions, and reforming abuses, which were natural to all politic bodies; and that he might not be misapprehended, and his designs in assembling them misconstrued, he assured them that his meaning was not to make any innovation of the government established in the church, which he knew was approved of God, but to hear and examine the complaints that were made, and remove the occasion of them, therefore, he desired them to begin, and show what were their grievances."

The Puritan leaders, who plainly perceived that the king was entirely set against them, urged their petitions under the greatest disadvantages, for although men of learning and ability, they did not possess that firmness and fortitude, which could have enabled them to outbrave the frowns of the monarch, and to state with energy, the grievances which pressed heavy on their consciences. Dr. Reynolds, who was their principal speaker, stated their objections to the doctrines, and to the discipline of the church of England. The doctrine as contained in the articles, he complained of as being in some places obscure, and in others defective, and in the discipline he regretted the little care shown in providing the people

\* When James was on his way to London, the Puritans presented him a petition, commonly called, from the number of names affixed to it, the *millenary* petition, stating their grievances. He received it favourably.

with pious and learned pastors, objected to their forced subscription to the Book of Common Prayer, which contained many things they could not conscientiously admit, and they required the laying aside the sign of the cross in baptism, and the vestments, which they considered relics of Rome. In the discussions which followed, the king himself personally replied, sometimes by arguments, and sometimes by threats, till browbeaten and insulted by the head of the Episcopalian church, and his supple bishops, the poor Puritans, unequal to the contest, were forced to be silent. In the course of the discussion, James evinced his detestation of the Presbyterian form of church government, that which he had declared to be the purest kirk upon earth, and his affection for the church of England, whose service he had deprecated as so nearly allied to that of Rome. When Dr. Reynolds was stating the propriety of ministers having occasional meetings, the king, forgetting both the dignity of his rank, and his situation as judge, rudely interrupted him with "You aim at a Scottish Presbytery, which agrees as well with monarchy, as God and the devil. Then Jack, and Tom, and Will, and Dick shall meet, and at their pleasure censure me, my council, and all my proceedings. Stay, I pray you, one seven years, before you demand this of me."

At the conclusion of the debate, the king, who would not allow the ministers to speak, chose to consider their forced silence as acquiescence, and condescendingly observed, "obedience and humility are the marks of good and honest men, such as I believe you to be, but I fear many of your sort are humorous, and too busy in perverting others. The exceptions against the Common Prayer Book, are matters of mere weakness, they who are discreet will be gained by time, and gentle persuasions, and if they be indiscreet, it is better to remove them, than the church should suffer by their contentions. For the bishops, I will answer, that it is not their design immediately to enforce obedience, but by fatherly admonitions and conferences, to gain those that are disaffected, but if any be of an obstinate and turbulent spirit, I will have them enforced to a conformity."

The Episcopalian party were highly delighted with his



majesty's conduct in managing the conference, so much so that the lord chancellor [Egerton,] said aloud, he had often heard of the offices of priest and king being united in one person, but never saw it verified till now, and Whitgift, archbishop of Canterbury exclaimed, "he verily believed the king spoke by the inspiration of the Spirit of God."

The Scottish church viewed these proceedings with very different feelings. Mr. Patrick Galloway, one of their accredited ministers, sent down to the presbytery of Edinburgh a full statement of the conference, and its result. When read in the presbytery, it was heard with profound silence, and no one ventured to hazard an observation, till James Melville arose and moved two resolutions. "First, that they should express their brotherly compassion, and their sincere participation in the sorrow of their many godly and learned brethren in a neighbouring country, who, having expected a reformation, are disappointed and heavily grieved, and if no other way could be found for help, that they would at least help by prayer to God for their comfort and relief; and next, that as the presbytery of Edinburgh had ever been the Zion and watchtower of the church, the ministers should take care, that no peril or contagion come from the neighbouring church, and give warning, if need be, to the presbyteries throughout the realm; especially, that they should observe and watch over the proceedings of the next parliament, summoned to consult respecting the union of the two kingdoms"—and this was no idle or useless jealousy.

Soon after, the king issued a proclamation, ordering all Jesuits and foreign priests, to quit the kingdom, but the effect of this proclamation, which was in unison with the feelings of his people, was destroyed by the manner in which it was expressed. In explaining his motives, he was anxious to show that it was not dislike to the general principles of the Roman Catholic religion, that induced him to banish the Jesuits, but only his aversion to that peculiar tenet which inculcated the pope's unlimited power over crowned heads.

James' reign in England, was distinguished as a reign of proclamations. Immediately after the one against the *Jesuits*, he issued another against the Puritans, enjoining them to

conform with the established church, which was received with almost universal dissatisfaction, as it was in opposition to the rising spirit of the people, and manifested the most determined hatred against a large portion of his Protestant subjects, and which, when contrasted with the tenderness he had expressed for the consciences of the Roman Catholics, gave rise to suspicions and discontents that continued to increase during his whole reign.

The king, who possessed considerable speculative talents, but whose practical powers were of the lowest order, in spite of the obvious obstacles to any union at that time between the two kingdoms, had fondly entertained the idea of its easy accomplishment; and he imagined, as the benefits appeared according to his theory so plain, it would be impossible any objection could arise. \* He, accordingly, as soon as the plague had subsided in London, assembled a parliament, the chief object of which was to consider of the eligibility of his scheme, or rather, according to his politics, of the means to carry it into immediate execution. His overweening vanity, however, and the extravagant length to which he pushed the pretensions of his royal prerogative, created, ere the session had well begun, a distrust and jealousy between the commons house and him, which led them to receive with coldness, if not with dislike, any proposition in which they saw him keenly interested.† His opening speech was of tedious length, and although characterized by Hume as “a performance, which few productions of the

\* For myself I protest vnto you all, when I first propounded the union, I then thought there could have been no more question of it, than of your declaration and acknowledgement of my right vnto this crowne, and that as two twinnes, they would haue growne vp together. The error was my mistaking; I knew mine owne ende, but not others feares. K. James' Works, p. 510.

† In his writs summoning parliament, and in his proclamation for its assembling, he assumed the right of dictating what kind of members ought to be chosen for the commons house. Hume attempts to gloss this over, but, thanks to the sturdy resistance of the commons of that day, and their clearer views of the danger of kingly influence in elections, the fountain of English liberty was not sealed. His other attempt was to render all contested elections subject to the decision of the crown. Here too, the manly good sense, and firmness of the commons defeated him, and to these two independent acts of the

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age surpass, either in style or matter," is wholly unintelligible when he deals in generals, and when he descends to particulars, is reprehensible, as avowing doctrines totally inconsistent with the increasing knowledge of the times, with the laws and customs of the people, and with every principle of common prudence.\* In it he avowed undisguisedly, his despotic principles of government, his leaning to the Popish creed, and his antipathy to the Puritans. "He acknowledged the Roman church to be our mother church, although defiled with some infirmities and corruptions," and after objecting strongly to the temporal supremacy claimed by the pope, and the doctrine which authorized the assassination of heretic princes, added, "I could wish from my heart, it would please God to make me one of the members of such a general Christian union in religion, as, laying wilfulness aside on both hands, we might meet in the midst, which is the centre and perfection of all things. For if they would leave, and be ashamed of such new and gross corruptions of theirs, as themselves cannot maintain, nor deny to be worthy of reformation, I would on my part be content to meet them in the midway, so that all novelty might be renounced on either side, for as my faith is the true ancient Catholic, and Apostolic faith, grounded upon the Scriptures, and the express word of God; so will I

English house of commons, may be traced all the privileges a British lower house now enjoys. The principles of rational liberty, which Buchanan had in vain endeavoured to impress on the mind of James, had taken deep root in the nation, and these arbitrary, though abortive attempts to shackle the English parliament, had a strong and lasting influence on the affairs of Scotland.

\* To exemplify his intelligibility, I quote the following. After mentioning that he had assembled the parliament to express to them his thanks for the manner in which he had been received as king, and his inadequacy to do so with such eloquence as the occasion required, he says, he ever disliked lip payment, and adds, "Therefore, for expressing my thankfulness, I must resort unto other two reasons of my convening of this parliament, by them, in action, to utter my thankfulness; both the said reasons having but one ground, which is the deeds whereby all the days of my life, I am, by God's grace, to express my said thankfulness to you, but divided in this, that in the first of these two, mine actions of thanks are so inseparably conjoined with my person, as they are in a manner become individually annexed in the same," &c. &c. For the rest I refer to the speech itself. K. James' Works, p. 486.

ever yield all reverence to antiquity in the points of ecclesiastical polity, and by that means shall I ever, with God's grace, keep myself from being either an heretic in faith, or schismatic in matters of polity." He was less measured with respect to the Puritans, "This sect, which," said he, "I call a sect rather than a religion, do not so far differ from us in points of religion, as in their confused form of policy and purity, being ever discontented with the present government, and impatient to suffer any superiority, which makes this sect insufferable in any well governed commonwealth. As to my course respecting them, I refer to my proclamations."

A majority of the house of commons were semi-puritans, or at least, men who had a rooted abhorrence of Popery; to them such sentiments gave universal disgust, and led them to view every proceeding of the king's with suspicion. They besides, had national antipathies to overcome, they perceived the number of Scots who had already flocked to England, and they feared a further influx. In a conference between the two houses, however, lord Ellesmere, the chancellor, procured their consent to the nomination of forty-four commissioners, to treat with the Scots respecting a union.

When the Scottish parliament, which met at Perth, on account of the plague then raging in Edinburgh,\* assembled, their aversion to a union was not less than that of the English. Private consultations were frequently held among the nobles, and their fears for national independence were stimulated and strengthened by the ministers, who trembled for the safety of the church. At the first mention of a proposed union, the ministers had taken an alarm, and the commissioners of the general assembly, petitioned that a meeting might be held before parliament met, to consider the proper steps for securing the order and discipline of the church of Scotland from danger; but the king refused this, as he said the

\* I have attempted in vain to get some data to estimate the ravages of the plague in Scotland. At this period I can only ascertain that in several years it was dreadful, and I can account for it from the nauseous food on which the poor vassals were forced to subsist on account of the scarcity they lived upon garbage and carrion, and the fluids which should have carried life and vigour to the body, carried disease and death.

union was entirely a political measure, in which the church had no interest, and where their rights would not at all be compromised. It was alleged on the part of the church, that it was evident from the whole of the king's procedure, that a uniformity in the church government of the two realms was intended, and as this could not take place without the one yielding to the other, it was to be feared this submission would be required of the Scots. The synod of Fife, took a wider and sounder view of the subject than their sovereign, they rejoiced in "the purpose of the union, as most loveable and good," at the same time they perceived its practicability, without a uniformity between the ecclesiastical establishments, and instructed the commissioners to oppose any innovation in the doctrine or discipline of the church, or any assimilation of statutory laws.\* This fact, of political union without ecclesiastical uniformity, or the surrender of the ancient laws of either nation to the other, which has now been demonstrated to be beneficial by the experience of more than a century, was one which the royal theologian could not comprehend, and which among the court party, the enlightened Bacon alone seems to have understood.

After some difficulty, † thirty-six commissioners were chosen by the Scottish parliament, but their powers were restricted, and they were not intrusted with any discretionary latitude of action, which would allow them to trench on the independence, rights, or liberties of their country. The whole proceedings of this parliament were adverse to the union, and the only attempts which they made at any approximation to a closer alliance, were recommending the removal of such

\* Calderwood, p. 480.

† I differ with diffidence, which I must always do when I venture to dissent on political subjects, from Mr. Laing; but it does not appear to me, that the Scottish nobles were so easily intimidated into the measures of James as he asserts, Hist. vol. iii. p. 10. nor can I find those marks of haste which he mentions. He quotes the State Papers, MSS. Advocates' Library. Ambassadors have been always allowed to be legalized spies. State papers in general may be compared to special pleadings, which, in a majority of cases, are special falsehoods, and we know how grossly the affairs of Scotland were misrepresented to James, as he confessed when he visited it. I cannot, there-

tatutes, or local usages, as might perpetuate the memory of past, or occasion the renewal of fresh hostilities between the two kingdoms.

It does not appear that the Scottish parliament ever mediated more than a federal union; but we gather from James' own works that he understood, by an incorporating union, prescribing the English law to the Scottish nation.\* He had felt the effects of the rough, tumultuary freedom of his native subjects; he had seen the submission of the English to Elizabeth; but he had not perceived that it was the superior prudence of her government, more than any superiority of the law, that had ensured obedience; and he imagined that, by introducing the English laws, he would introduce the English habits of submission. The Scots, although not possessed of personal,† were proud and tenacious of national independence; and this feeling, which from the days of Bruce had been enforced and inculcated upon the public mind, was associated with a jealousy and hatred of England, which it was difficult either to eradicate or subdue. They had little or no commerce. Their exports were chiefly raw material, and their imports, the luxuries, the wines and brandies of France, or the absolute necessities of life, the products of Flemish industry. Among the latter, it is curious to observe,

fore, trust them with the same frankness that I do cotemporary historians or memoir writers. Now from both Calderwood and Spotswood it appears to be clear, that the Scottish nobles were by no means very quick in their motions, nor, even after being admonished, did they readily accede to the proposals of the king, or send commissioners till they had provided instructions, which were in diametrical opposition to the views of the court; and this is evident from the last clause of these instructions, in which they are ordered not to derogate from any "fundamental laws, ancient privileges, and rights, offices, dignities, or liberties of the kingdom."

\* "It was not his [James'] desire to deprive England of its laws, but to lay Scotland subject to the same laws. He did desire that they should be subjected both to one rule, and to one law." "I mean such a general union of laws as may reduce the whole island, that as they live already under one monarch, so they may be governed by one law."—K. James' Works, p. 512.

† It is a strange, but a true fact, that personal security, in which the essence of personal liberty consists, was not known in Scotland till after the revolution.

that even cart wheels were brought from Flanders, so low was Scottish art. The advantages, therefore, of any liberal intercourse with England, were despised, while the whole of Europe lay open to the speculations of their itinerant pedlars;\* and France offered them peculiar advantages and immunities. Their value of the English market may be judged of by the clause inserted in their preliminary arrangements:—That sheep, black cattle, wool, hides, leather, and yarn, should be prohibited from exportation, and reserved by both nations for internal consumption. The reverse has since been proved to be for the benefit of both. The English commissioners were equally inimical to any treaty which would admit the Scots to a participation of their rights, and proposed terms to which they knew the Scottish commissioners would not consent. They proposed, as the basis of a union, a uniformity of laws, and when the Scots indignantly refused to submit to any statutes but their own, and the English would listen to no accommodation, the consultations were continued, but without any hope of adjustment.

After a protracted conference, which, in obedience to the king's mandate, had been held at Westminster, the commissioners from both kingdoms, although they could not descend on the basis of a union, agreed upon several conciliatory measures. All hostile ordinances, in both countries, against each other, were declared to be for ever annulled; the name of the borders to be disused, and all the laws, customs, treaties, or whatever tended to keep alive the remembrance of the former feuds, to be abolished. The *Post nati*, all persons born after the decease of the late queen, and since the accession of the Scottish king to the English crown, were declared entitled to the privileges of native born subjects in each kingdom; and all the inhabitants of the island were rendered capable of inheriting lands, honours, dignities, and offices in any of the divisions, but were excluded from holding situa-

\*The Scots and Jews monopolized the trade of Poland, and many of the former returned with fortunes to their native country. They were generally pedlars or vagrant merchants; but the Scottish emigrants were not all of this description; the majority consisted of military adventurers, who lent their mercenary swords to the highest bidder.

tions under the crown, or a place in the legislature, except in their respective native countries, till a union. Several regulations were adopted relative to foreign trade, and the admission of the natives of the two kingdoms into the trading companies established in either; but the main object, the incorporating union, was postponed for further consideration by mutual consent. Such seem to have been the mutual feelings of the English and Scottish people toward each other at this period, and even a century of repose was not sufficient to dissipate them. The king had, however, previously assumed, by virtue of his prerogative, the title of king of Great Britain, commanding this to be used in all proclamations, and the names of England and Scotland to be discontinued. He likewise ordered all the places of strength upon the borders to be dismantled, and their iron gates to be turned into ploughshares; the garrisons of Berwick and Carlisle were dismissed; and in memory of the union, which he calculated upon as being already effected, he caused several gold and silver medals to be struck, on which were engraved various inscriptions, *Quæ Deus conjunxit nemo separat* ;\* and, *Faciam eos in gentem unam*.†

Time often effects, what reason in vain attempts to accomplish—Yet a proud and an independent, but a poor nation, which has received severe injuries from a more powerful and richer neighbour, may well be excused for listening with cautious reluctance to any proposals for a union; and a wealthy nation, which has accepted a sovereign from one inferior, cannot be blamed for being jealous, lest her patrimony should be devoured by a crowd of needy dependants on the bounty of a native king.

Notwithstanding his repeated and earnest professions, frequently accompanied by tears, James, before he left Scotland, had violated his promises, and, in several instances, interfered with the independence of the Scottish church; but now, in the plenitude of his power, he began to aim at its total subversion. The assembly which had legally the right of meet-

\* Whom God hath joined, let no man separate.

† I will make of them one nation.



ing once a-year, and which, in case neither the king nor his commissioner were present, could themselves nominate the day, had been first prorogued on account of the accession and again discontinued in the succeeding years, till the union should be adjusted; on this, the presbytery of St. Andrews considering the rights and liberties of the church as invaded by the interruption of the meeting of her highest court, resolved to send commissioners to keep the diet, because it had been only adjourned in an unofficial manner by Sir David Murray, while the law of the country, the practice of the church, and the consent of the king formerly given, warranted their sitting. The commissioners accordingly repaired to the place of meeting at Aberdeen, and in presence of several other clergymen, and three public notaries, presented their commission, protested \* that no detriment should result to the church of Christ, and lamented that, from the failure of their brethren to appear, no regular assembly could be constituted; for owing to some mistake in the intimation, and the severity of the weather, by which the rivers were swollen, several other ministers did not arrive till after the assembly was dissolved, and among them Welsh, afterward so severely persecuted. Their fears were diffused through the whole church, who, as formerly mentioned, dreaded, and that justly, some attempts to assimilate their order and discipline to that of the church of England, on purpose to facilitate a union. Suspicious, therefore, of a third prorogation, a number of presbyteries and synods, who saw that, in submitting

\* Mr. Laing strangely misrepresents this occurrence; he says: "Three zealots, who assembled, protested that no detriment should result from this measure to the kingdom of Christ, and their apprehensions were diffused through the whole church;" and he quotes Calderwood. Now Calderwood states expressly that it was the presbytery of St. Andrews which took the alarm, "and constituted and appointed three of their brethren, Mr. James Melville,"—designated by Mr. Laing himself, 'a mild and amiable character,' Hist. of Scot. vol. iii. p. 41.—"Mr. William Erskine, and William Murray, as their commissioners to the general assembly, and gave them full and express commission to pass to Aberdeen, and there, and for the said presbytery, to vote, reason, and conclude," &c. From which it is evident they were not "three zealots," but three regularly constituted commissioners, deputed by one of the leading presbyteries, and who met in obedience to their direction.

to such arbitrary interdicts, they would be deprived of their legal privileges, and that their times of meeting, which would then depend solely upon the will of the sovereign, would first be delayed, then wholly discontinued, determined to keep the time appointed in the last prorogation. Accordingly, on the 2d July, 1605, nineteen ministers, the deputies from nine presbyteries, met at Aberdeen, and proceeded to constitute the assembly, when Straiton of Laurieston, the king's commissioner, presented a letter from the lords of privy council, addressed:—"To our trusty friends and brethren of the general assembly, convened at Aberdeen;" a style recognizing the lawfulness of their meeting, and acknowledging their public collective character. It was determined, before they could receive his communication, that it was necessary to constitute the assembly by choosing a moderator and clerk, and on the suggestion of Straiton—who, however, declined being present at the election—chose John Forbes, minister of Alford, as their moderator, and proceeded to read the letter, which enjoined them immediately to dissolve their meeting, without naming another day for again assembling. While the letter was reading, a messenger at arms entered, and in the king's name commanded them to dissolve on pain of rebellion. As the assembly could not agree to this, without breaking down the constitution of the church, they expressed their willingness to comply with the order for their dissolution, but requested it might be done in a regular manner by his majesty's commissioner, naming a day and place for next meeting. This he refused to do, and, in consequence, the moderator appointed the assembly to meet at the same place, on the last Tuesday of September, and dissolved the assembly. Laurieston afterward asserted that he had, on the day previously to the meeting discharged it by proclamation at the Cross of Aberdeen; but of this he could bring no proof, and as he was himself at the meeting, and never gave any intimation of the charge, it was generally believed that he violated the truth, not less with regard to the date than to the publication of the charge, in order to soften the indignation of the king and of the prelates, who were offended at the countenance he had given to the assembly. The conduct of this assembly, at once

firm and moderate, exhibited a rare example of temperate, legal resistance to despotic power; for in every view of the question, it is evident that all law was on their side, and only the mandates of the king against them. But with the oppressor there was power, and these men, who in fact had only asserted the supremacy of the law, in opposition to the unwarranted claims of absolute tyranny, were afterward doomed to be martyrs, not more to the religious than to the civil rights of the community, by a cruel perversion of that law they had so strenuously supported.

It does not appear that the privy council would have been inclined to prosecute the members of the Aberdeen assembly, but the king was irreconcilable to any appearance of encroachment on his divine right, and instantly, on receiving information of the proceedings of that assembly, transmitted orders to the law officers, to proceed with the utmost rigour against the ministers who had presumed to act in opposition to his command. \* Mr. John Forbes, the moderator of the late assembly, who had arrived in Edinburgh, in order to represent to the privy council the real state of the case, and to deprecate any alleged disobedience or disrespect for the king's authority, was apprehended on the 24th July, and brought before the council, which met at an unusual time, between six and seven o'clock in the morning, † and was composed of a more than ordinary proportion of bishops. Refusing to condemn the assembly, and referring the legality of its meeting, and its proceedings, to the decision of the first regularly appointed meeting of that body, he was ordered to enter ward in the castle of Edinburgh. John Welsh, who happened to be in the city at the same time, was also summoned before the council, and declining to answer upon oath to what he considered ensnaring and insidious questions, was first committed to the tolbooth, and then he and Forbes were sent to the damp cells of Blackness castle, which might, in these times,

\* The king's letter to secretary Balmerino, is dated 19th July, 1605, in the Haddington collection, quoted by Dr. M'Crie. Forbes, the moderator, was committed prisoner on the 24th, and Welsh on the 25th of the same month, previously to which they had remained unmolested.

† Calderwood, p. 494.

have been considered the bastile of Scotland. Several other ministers were distributed through different prisons.\*

It is necessary here to recollect, that the establishment of the church of Scotland was essentially a part of the constitution of the country, and that her rights and privileges were guarded by the most sacred compact that can exist between a king and a people.† An open attack upon the church was, therefore, considered as a stretch of prerogative not to be borne in silence, and the imprecations against it were neither low nor inaudible. The king, in order to quiet them, issued, according to his practice, a long proclamation, couched in almost as equivocal language as any other of his royal productions. In it he expresses his desire to maintain the good and laudable customs of each of the realms, and his intention to make no encroachments upon either; and in a passage, which from any other pen would have been deemed keenly ironical, adds: "This charge [of encroachment] none of our subjects will be so credulous as to believe, knowing how careful we have been to maintain both religion and justice, and to reform the evils that did in any sort prejudice the integrity of either of the two, whereby justice hath attained, under our government, to a greater perfection and splendour than in any of our predecessors' times, and many abuses and corruptions in the discipline of the church amended, that otherwise might have brought the purity of religion in extreme danger; neither of which was done by our sovereign and absolute authority,—although we enjoy the same as freely as any king or monarch in the world—but as the disease of the civil body ever was cured by the advice of our three estates, so were the defects of the church by the help and counsel of those that had the greatest interest therein." Copies of the proclamation were sent to the imprisoned ministers, but produced no effect; they were too well acquainted with the court to put any confidence in promises so often broken, or be influenced by a paper, the

\* Calderwood, p. 494.

† At the assembly in May, 1597, his majesty declared the act of parliament, respecting the meeting of church courts, to be "the most authentick form of consent that any king can give."—*Bulk of the Universal Kirk.*

leading assertions of which they knew were not founded on fact. They were in consequence again brought before the council, and ordered to stand on their defence; when they, in respectful terms, declined the jurisdiction of the privy council, as incompetent to take cognizance of a matter purely ecclesiastical. For this offence solely were they, by the king's direction, indicted for high treason, under an act made during the infamous administration of Arran, but which had subsequently been repealed. Six were selected as peculiar objects of prosecution—John Forbes, minister at Alford, John Welsh at Ayr, Robert Drury at Anstruther, Andrew Duncan at Crail, John Sharp at Kilmany, and Alexander Strachan at Creigh. The trial was attended with every circumstance which could tend to aggravate the suffering of the prisoners, or exhibit the determined disregard for justice which actuated the court.

The ministers, who had been warded in Blackness castle, when the pestilence reached its gates, requested to be removed to some place distant from the contagion. This was a request too equitable to be granted, and they were detained there till the 10th of January, 1606, when, between the hours of two and three o'clock in the morning, they were awakened by sound of trumpet, and summoned to their trial. At that time, the roads in Scotland were almost impassable, and in the depth of a northern winter, in a half cultivated land, must have been wretched indeed. The prisoners, however, set out cheerfully on their journey, and arrived at Linlithgow palace, as the sun was rising. They were here met by a number of ministers from various parts of the country, among whom were most conspicuous, Andrew and James Melville. Every art was tried to endeavour to induce them to pass from their declinature, previous to any trial, but threats and promises were held out in vain, and they proceeded to the court, which sat in the Tolbooth, about two in the afternoon, accompanied by the whole of the ministers, who had attended to support them. In this extremity, two of their advocates deserted them, and refused to plead. Mr. Thomas Hope, and Mr. Thomas Gray, stood forward as their defenders. The judiciary court had as assessors, a number of the highest officers of state, whose presence on the bench was intended, and calcu-

lated to overawe the jury. Sir William Hart presided as justice depute. A number of most unanswerable objections were stated, to what, in Scottish law, is termed the relevancy of the indictment, or in other words, to the propriety, accuracy, or justice of the charges brought against the prisoners. It was urged, that they did not decline his majesty's civil authority; that they did not even decline his ecclesiastical authority, if exercised according to the rules of the church, and the acts of parliament; that even upon the obnoxious one of 1584, their conduct was unimpeachable and unattackable; but although it were, that act was repealed, in as far as it affected the rights of the church, by the act 1592. The opinion of the court was then asked, in a new and unusual manner. The judges on the right and left hand of the chancellor, requested those seated on their respective sides, to deliver their votes, not viva voce, but by whispering, or what Calderwood expressively styles, "rounding in the ear." Suspicions have been expressed, that the votes thus collected were not fairly put down; it may be so, some may have through timidity, allowed their names to go to the wrong side, though, from the complexion of the court, it is not probable, but that there was a sufficiently pliable majority to secure the sentence of relevant, which was pronounced upon the libel. The prisoners' defence was ably conducted, and the arguments similar to what had been used against the legality of the indictment, but in the speeches of the accused themselves, there was an impressive solemnity, which it required all the threats and promises of an overbearing court to overcome, and to the credit of the jury, they could secure after all, only a small majority. Forbes' concluding speech, was powerful and eloquent, the finale might almost be deemed prophetic. Addressing Dunbar, "My lord," said he, "I adjure you before the living God, that you report to his majesty in our names, this history out of the book of Joshua." He then narrates the league obtained from Israel through deceit, by the Gibeonites, and afterward noticed the plague which fell upon Saul and his posterity, for violating the oath of God, which was made between the Gibeonites and the princes of the people, adding, "Now my lord, warn the king, that if such a high judgment fell upon Saul and his house, for

destroying them who deceived Israel, and only because of the oath of God which passed among them, what judgment will fall upon his majesty, his posterity, and the whole land, if he and ye violate the great oath that ye have all made to God, to stand to his truth, and to maintain the discipline of his kirk, according to your powers." \*

When the jury retired, although they had been packed, yet such was the commanding effect of truth and of genius, that in the presence of those from whom they expected every advancement, the jury hesitated, and it was not till after several visitations from the crown officers, and a promise that no harm should be done to the prisoners, that a verdict was at last, by a majority of THREE, obtained against them. The names of the minority deserve to be perpetuated. Sir John Levingston of Dunipace, Sir Archibald Stirling of Kier, Gavin Home of Johnscleugh, Robert Levingston of Westquarter, Thomas Levingston of Panton, and James Shaw of Sauchie, they withstood every temptation, and declared their pannels innocent simpliciter. But the verdict was still illegal, as the act, 91 James VI. expressly declares, that if any stranger enter where an assize is enclosed, after they be enclosed, that verdict is null and void in law, and the pannel, though guilty, shall have the advantage of the circumstance, yet in this case, the justice, the assessors, all had access, and all tampered with them. The crown officers went alternately between the prisoners and the jury, and sensible of their own infamous proceedings, they wished the process to be stayed, and promised, that if the prisoners, even after their verdict was pronounced, would withdraw their declinature, that mercy would be extended, but fortunately for their own fair fame, and for the liberties of their country, they preferred preserving their integrity. The verdict was delivered at midnight, and the pannels on hearing it, embraced each other, and gave God thanks for having supported them during their trial. The sentence was delayed till his majesty's pleasure should be known, and the day following, they were remanded to Blackness castle. Andrew and James Melville, with some other ministers, ac-

\* Calderwood, p. 515.

accompanied them, and parted with tears, at the gates of that inhospitable jail, more confirmed than ever, in the cause in which they had engaged. While the accomplices of crime fly each other in the hour of danger, it is delightful to observe adversity binding the virtuous more strongly together. The letter from the king's advocate, announcing the conviction to the king, I subjoin in a note, with lord Hailes' remarks. \* It

\* Sir Thomas Hamilton, King's Advocate, to King James, \*

*Most Sacred Sovereign,*

My conceived fears, that my silence could not find out any lawful excuse, if I should not advertise your Majesty of the progress and event of the criminal pursuit off Mess. John Forbes, Welch, and others their complices, before your Majesty's justice, for their treasonable declining your Majesty, and your secret Council's judgement, makes me bold to write in that matter; which, as well in respect of a most high point, and large part of your Majesty's authority royal, brought in question by the ignorant and inflexible obstinacy of these defenders, as in regard of the most careful expectation of a great part of your highness's subjects, in this your kingdom, over doubtsomly distracted. During the uncertain event thereof, partly by superstitious, and partly by feigned zeal to their profession, and affection to their persons for their professions sake; being of so high and dangerous consequence, as the miscarrying thereof might have exemed a great part of your Majesty's Subjects from your Majesty's Jurisdiction and obedience in matters of doctrine and discipline, and all things which they should have pleased to affirm to be of that nature, and therewith have given them occasion, and as it were lawful liberty, or liberty by your Majesty's own laws and sentences, to have maintained that liberty once purchased, and daily to have increased the same, to the manifest peril, not only of further impairing, but with time, of utter subversion of your royal power within this kingdom. God having now brought it to that good end, that after langsum, difficil, and most contentious travels, they are convicted by assize of that treasonable declinator, I should omit as necessary a point of my duty, as if I had not replied to their most probable alledgeances, if I should conceal from your Majesty, that the first and greatest praise of this good success should be given to your Majesty's self, for foreseeing this matter to be of such difficulty and danger, as it required the particular direction of your Majesty's own most excellent wisdom, by the report and prosecution of my lord of Dunbar, who, I am assured, in all his life was never so solicitous for the event of the trial of other men's lives; for at his here coming, finding that matter full not only of foreseen, but also of unexpected difficulties, his care and diligence therein has been so assiduous, wise, and provident, that having made secret choice of this time and place—which by effect has proved most proper—and so vively expressed to your Majesty's Justice, Justice Clerk

\* The Scottish phrases in this letter are retained, the most remarkable are, *langsum*, for tedious, *but*, for without, and *peract*, for persons arraigned.



is an important document respecting the state of justice in this country at that period, and places the unfairness, and the illegality of the trial, and the despotic tyranny of the court, in

and other members of that court, your Majesty's care of the maintainance of your royal power brought in question by that process, with the undoubted favours which they might expect by doing their duty, and most certain disgrace and punishment, if in their defaults any thing should miscarry. He proceeded thereafter to the preparation of sufficient forces, able to execute all the lawful commandments of your Majesty's council in your service; and for that purpose having brought with him to this town, a very great number of honourable barons and gentlemen, of good rank and worth of his kindred and friendship; finding beside other great impediments, the chief peril to consist in the want of an honest assize, who without respect of popular favour, report, threatnings, or imprecations, would serve God and your Majesty in a Good Conscience: and for known default of constancy, and good affection in others, he was compelled to cause his own particular and private kinsmen and friends make the most part of the assize, who being admitted upon the same, if he had not dealt in that point but [without] scrupulosity or ceremonies to resolve them of the wonderful doubt, wherein by many means, chiefly by the thundering imprecations of the pannel, and contentious resistance of their own associate assizers, they were casten that whole purpose had failed, to our infinite grief, and your Majesty's over great prejudice, for the good success whereof I shall ever thank God, and ever pray him and your Majesty, to put us to as few essays in the like causes as may possibly stand with the weal of your Majesty's service, in respect of the scarcity of skilled and well affected assizers in these causes; for if my lord of Dunbar had wanted your Majesty's most provident directions, or if we had been destitute of his wise and infinitely sollicitous dilligence and action in this purpose, in all men's Judgements it had losed, wherein our misluck could never have found any excuse, which might either have given satisfaction to your Majesty, or contentment to our own minds, albeit our consciences and actions did bear us record, that we served with most faithful affection and careful diligence. But now we have to thank God that it is well ended, and I must humbly crave your Majesty's pardon for my boldness and overlong letter, which shall be always short in comparison of my long and endless prayers to God for your Majesty's health, content, and long happy life. At Lithgow, the 11th January, 1606.

Your Sacred Majesty's

Most humble and faithful Servitor,

Th. Hamilton.\*

\* This letter gives a more lively idea of those times than an hundred Chronicles can do. We see here the prime minister, in order to obtain a sentence agreeable to the king, address the judges with promises, and threats, pack the jury, and then deal with them without scruple or ceremony. It is also evident, that the king's advocate disliked the proceedings as impolitic and odious, but that he had not resolution to oppose them. The detail of this trial and of its consequences, may be found in Spotswood and Calderwood. Lord Hailes' Memorials and Letters on the Affairs of Great Britain, during the reign of James VI.

a stronger light, than any other commentary on the subject could do. The king, for a considerable time, would not declare his determination as to the punishment of the condemned ministers, and in the meanwhile, he ordered the trial of the others to be proceeded in, notwithstanding the request contained in the letter of the lord advocate; but, induced by the strong remonstrances of his privy counsellors, who represented the impossibility of finding an assize who would convict them, and the disgrace that it would occasion to the government, James reluctantly yielded, and they were without trial, banished to the most barbarous quarters of the kingdom, to the Western Islands, to Orkney, Shetland, and the Highlands. The six convicted ministers were banished to France.

These proceedings, so manifestly iniquitous, increased the national dislike to the bishops—who were universally considered the authors of this injustice—and their hatred to Episcopacy, of which it was the first-fruits.

During the time the fate of the oppressed patriots was depending, proclamations were issued, forbidding the ministers, under pain of death, to pray for their persecuted brethren, and prohibiting, under severe penalties, any expression of approbation, respecting the northern conventicle, or any disapprobation of the proceedings of government. But the ministers boldly made supplication for the conscientious sufferers, and the nation openly avowed their discontent. The discovery of the gunpowder plot occurring about the same time, it was thought that the king's heart would have been mollified towards the imprisoned ministers, but he would listen to no intercession in their favour, and while he appeared anxious to show that he did not consider all the Papists as implicated in the treason, many of whom he said, were "honest men," he ungratefully, wantonly, and foolishly, in addressing the English parliament on the occasion, stigmatized his most faithful subjects, the Puritans, whose cruelty he declared worthy of fire, because they would admit no salvation to any Papist.\*

The king resolved to follow up this blow, ere the terror which he supposed it must have struck had subsided, by a

\* K. James' Works, p. 505.

more decisive measure in favour of Episcopacy, than any he had yet attempted. He ordered a parliament to be assembled, and despatched his favourite minister, Sir George Hume, now created earl of Dunbar, to secure the votes of the nobles, or in modern phrase, to manage the house. He executed his commission with dexterity, and by his intrigues, obtained a complete ascendancy for the crown. The nobles of the first rank were now anxious to preserve the royal favour, and although decidedly averse to Episcopacy, were afraid to offend the king, lest the grants of the church lands should be revoked. These Dunbar gained by the promise of a full confirmation, the prospect of immediate advantage rendering them averse to believe, what they considered as gloomy forebodings, that their compliance now, was only laying the foundation for future tyranny. A number of new temporal lords were created, from the monastic benefices secularized, termed lords of erections; they durst not oppose the crown, who could easily have stripped them of their possessions; and the few indigent bishops, who, in opposition to the caveats, had consented to this illegal alienation of the church lands, were entirely at the king's devotion. The commons were more intractable, but the earl's art succeeded in overcoming even their scruples. The parliament met at Perth, August, 1606, and was the first that set an example of national servility. The royal prerogative was confirmed without limitation, and the king acknowledged absolute prince, judge, and governor, over all persons, estates, and causes, both spiritual and temporal, and by a flattery more like the degraded senate of Rome, than a Scottish parliament, all acts which might derogate from the royal authority, if any such should in future be enacted, were previously declared null and void.

Empty titles are, perhaps, the vainest of all human distinctions, and the bishops had hitherto, although called to parliament, merely possessed the name, the church lands having been dilapidated by the nobles during the king's minority, and what remained, appropriated to the support of the crown, by the act of annexation. An act therefore was introduced, to restore the state of bishops to their ancient and accustomed honours, dignities, prerogatives, livings, lands, tithes,

rents, and estates, and to repeal the act of annexation. The chapters, which the general assembly had abolished, were at the same time revived. Though it is not easy sometimes to account for the contradiction which appears in the conduct of individuals, that which is displayed in the acts of public bodies, has long been proverbial. It is not therefore, surprising to find this parliament, by one vote alienating the royal domains, and by another, granting the king a subsidy of four hundred thousand merks, \* more than double any former taxation, to be raised in four years. The bishops, as might have been expected, were among the foremost to support this, to the Scots, unusually heavy burden.

As the business which was to come before parliament had been generally understood, the ministers repaired to Perth in considerable numbers, to endeavour, by every means in their power, to oppose it. They were sanguine in their expectations of being supported by the chancellor, the earl of Dunfermline, on account of a quarrel he had had with Dunbar, but Spotswood, archbishop of Glasgow, having represented him to the king as having had some dealings with the ministers, and that he had commended the assembly at Aberdeen, and their exertions in the cause of liberty, he, with considerable difficulty, escaped being brought to trial; in consequence, to wipe away all suspicion, and recover the favour of his majesty, he now entered warmly into his schemes. The representatives of the burghs likewise, from whom they expected assistance, and who at first promised to stand by them, deserted to the royal standard. Left alone, they remained steady to the cause of the church and of the country.

No sooner did the ministers learn that the lords of the articles had under their consideration, the erection and endowment of bishoprics, than they desired to be heard, but were refused. They then gave in to them a protestation, which was contumeliously rejected by the chancellor in their name, who, at the same time told them, that the bishops should be restored to the same state they were in sixty years ago. They therefore, presented a copy to each of the estates,

\* Little more than 32,000 pounds sterling.

and to several noblemen. In it they reminded them of their sacred oath, and that even the king himself had solemnly sworn and subscribed repeatedly, together with the whole subjects of the realm, that confession of faith, in which was an engagement to prevent setting up the dominion of bishops, whom they denominated the first steps of the antichristian hierarchy, an ordinance of man, which the experience of past ages had testified to be the ground of great idleness, palpable ignorance, unsufferable pride, pitiless tyranny, and shameless ambition; they recalled to their remembrance, the zeal they had formerly shown in the cause, and earnestly exhorted them not now to fall off. They then stated, that the bishops, when restored to a place in parliament, were restored under especial provision, that nothing derogatory, or prejudicial to the established church, her discipline, or her jurisdiction should follow; that the general assembly, fearing the corruption of the office, had circumscribed and bound them by a number of caveats, and had not agreed even to the name, lest it should be supposed to import the pomp and tyranny of papal bishops, but ordered them to be styled commissioners for the church, to vote in parliament, and concluded, by solemnly protesting against the erection of bishoprics, or the establishment of bishops.

The ministers had now done every thing in their power, except entering a public protest on the last day of the parliament, the day on which all the acts were finally ratified, and for this purpose, they made choice of Andrew Melville, who, with considerable difficulty obtained admission, but when he stood up to speak, he was ordered to be removed, and the petition was not allowed to be heard. He did not depart, however, until he had made the object of his mission known. Shortly after, they published what was called "a verification of the protestation," this paper is remarkable for the clear perception which is displayed in it, of the dangers that the re-establishment of a hierarchy in Scotland threatened, and in a few years after, it might, with little variation, have formed a historical record, instead of a faithful warning. "Set me up these bishops once," say they,—"called long since, the prince's led-horse—things, if they were never so unlaw-

ful, unjust, ungodly, and pernicious to kirk and realm, if they shall be borne forth by the countenance, authoritie, care, and endeavour of the king—supposing such a one, as God forbid, come in the roome of our most renowned sovereign, for to the best hath oft times succeeded the worst—they shall be carried through by his bishops, set up and entertained by him for that effect, and the rest of the estates not onely be indeed as ciphers, but also beare the blame thereof, to their great evil and dishonour. If one will ask, how shall these bishops be more subject to be carried after the appetite of an evil prince than the rest of the estates? the answer and reason is, because they have their lordship and living, their honour, estimation, profit, and commoditie of the king, the king may set them vp, and cast them downe, give them, and take from them, put them in and out at his pleasure; therefore they must bee at his direction, to do what liketh him; and in a word, he may do with them by law, [i. e. deal with them without regard to law,] because they were set up against law. But with other estates he cannot do so, they having either heritable standing in their roomes by the fundamental lawes, or a commission from the estates that send them, as from the burgesses or barons. Deprave me once the ecclesiastical estate, which have the gift of knowledge and learning beyond others, and are supposed—because they should bee—of best conscience, and the rest will be easily miscarried, and that so much the more, that the officers of estate, lords of session, judges, lawyers, that have their offices of the king, are commonly framed after the court's affection. Yea, let chancellor, secretarie, treasurer, president, comptroller, and others that now are, take heed to themselves that these new prelates of the kirk—as covetous and ambitious as ever they were of old—insinuating themselves by flatterie and obsequence into the prince's favour, attaine not to the bearing of all these offices of estate and crowne, and to the exercising thereof as craftily, avariciously, proudly, and cruelly, as ever the Papistical prelates did; for, as the holiest, best, and wisest angels of light being depraved, became the most wicked, craftie, and cruell divells, so the learnedest and best pastor, perverted and poysoned by that old serpent with avarice and ambition, becomes

the falsest, worst, and most cruel man, as experience in all ages hath proved. If any succeeding prince please to play the tyrant and governe all, not by lawes, but by his will and pleasure, signified by missives, articles, and directions, these bishops shall never admonish him as faithful pastors and messengers of God, but as they are made up by man, they must, and will flatter, pleasure and obey man; and as they stand by affection of the prince, so will they by no means jeopard their standing but be the readiest of all to put the king's will into execution, though it were to take and apprehend the bodies of the best, and such, namely, as would stand for the lawes and freedom of the realme, to cast them into dark and stinking prisons, or put them in exile from their native land. The pitiful experience in times past, makes us bold to give warning for the time to come, for it hath been seen and felt, and yet dayly is in this island; and finally, if the prince be prodigal, or would enrich his courtiers by taxations, imposts, subsidies, and exactions layd upon the subjects of the realme, who have been, or shall be so ready to conclude and impose that by parliament as these, who are made and set up for that and the like service?"

The prelates were not long in displaying to the nobles, that the predictions of the protestors were not altogether chimerical. On the first day of the parliament, ten bishops rode, two and two, between the earls and the lords, but on the last, after the bill, restoring them to their honours, had passed the estates, they would not ride unless they got their own place next the marquises, but went on foot to the parliament house. They were now restored to their honours, titles, and in some measure to their incomes, yet still they had obtained no spiritual power in the church; and as this could not be accomplished by a mere act of the legislature, it was necessary to effect it through the medium of the church itself; but there were several members, whose talents and influence were dreaded, whose integrity it was found impossible to corrupt, and whose firmness neither threats nor persecution could bend; these it was requisite to get removed before any, even of the preliminary, steps could be proposed. They were therefore called up to London, by an especial letter from the king, under the

pretence of holding a conference “to treat of matters concerning the peace of the church of Scotland, and that his majesty might make the constant and unchangeable favour he had ever borne to all the dutiful members of that body manifestly known to them, by which means they might be bound in duty and in conscience to conform themselves to his godly intentions; and if otherwise, after this more than princely condescension, any turbulent spirits should persist maliciously in undutiful contempt of the royal authority, it would then be made manifest that the severity which he might be forced to use, was extorted from him against his nature by their obstinacy.” These letters were addressed to Andrew Melville, James, his nephew, William Scott, minister of Cupar, John Carmichael of Kilconquhar, William Watson of Bruntisland, James Balfour of Edinburgh, Adam Coult of Musselburgh, and Robert Wallace of Tranent. On the part of the prelates, were invited the two archbishops, and the bishops of Galloway, Dunkeld, and Orkney.

The meeting took place at Hampton court, and the subjects proposed by his majesty were:—The illegal assembly held at Aberdeen, and the best means for obtaining a peaceable meeting of that judicatory, to establish good order and tranquillity in the church. The presence-chamber was crowded with nobility, and several English bishops and deans stood behind the tapestry, and at the doors of the apartment. The king was seated with the prince on his one hand, and the archbishop of Canterbury on the other. The bishops first gave their opinion, which was merely an echo of the king's; they condemned the meeting as turbulent, factious, and unlawful. The king then asked the ministers to give their opinions, beginning with Andrew Melville, and put the question in a general form:—Whether eight or nine ministers, meeting without warrant, and without either moderator or scribe, and informally without sermon, being also discharged by open proclamation, could make an assembly? Melville replied:—That an ordinary meeting of a court, established by law, could not be declared unlawful on account of its thinness, and the members at Aberdeen were sufficiently numerous to prorogue the assembly to a future day, which was all



they did, and all they had proposed to do. As to their warrant, it was founded on the Scripture, his majesty's laws, and the commissions they received from their presbyteries. The presence of a former moderator or clerk was not necessary to the validity of an assembly, for, in case of their absence, they might, according to reason and the practice of the church, choose others in their room. The charge of wanting sermon was false—one was preached by a minister of Aberdeen at the opening; and with regard to the alleged forbidding of the assembly on the day before it met—turning to Laurieston, who was the king's commissioner, he said, in a tone of the most impressive solemnity:—"I charge you, in the name of the church of Scotland, as you will answer before the great God, at the appearance of Jesus Christ, to judge the quick and dead, to testify the truth, and tell whether there was any such discharge given." He paused for a reply, but Laurieston made no answer. The king relieved his convicted commissioner from penance, by desiring Melville to state the reasons why he would not condemn the ministers? He answered:—That he would not prejudge the question. The rest of his colleagues also refused to pronounce, or to anticipate, the sentence of their brethren, as the king, by proclamation, had remitted their trial to a general assembly. They were then asked:—What advice they would give for pacifying the dissensions raised in the church? To which they unanimously replied:—A free general assembly. Before they reached home, they were overtaken by a messenger, with a charge, commanding them not to return to Scotland, nor to approach the courts of the king, queen, or prince, without special licence.

Unable to intimidate these intrepid men by public exhibitions, it was next endeavoured to ensnare them by private examinations. They were brought before the Scottish council, and asked whether they prayed for the imprisoned ministers, acknowledged their assembly, or approved their treasonable declinature; James Melville spiritedly replied:—I am a free subject of the kingdom of Scotland, that has laws and privileges of its own, as free as any kingdom in the world, to which I will stand; there hath been no summons lawfully execute against me; the noblemen here and I are not in our own country,

the charge, *super inquirendis*, was declared long since to be unjust; I am bound by no law to criminate or furnish an accusation against myself. My lords, remember what you are; though I be but a mean man, I am a true born Scottishman, and deal with me as you would be dealt with yourselves, according to the laws of the Scottish realme." He was succeeded by his uncle Andrew, who, in a still bolder strain, told the members of the council:—"That they did not know what they were doing; and that they had degenerated from the ancient nobility of Scotland, who were wont to hazard their lives and lands for the freedom of their country and the gospel, which they were betraying and overturning."

While thus forcibly detained in England, they were obliged to attend at the chapel royal, where a series of discourses were preached, with more warmth than argument, against the Presbyterian form of church government, and in defence of Episcopacy. To these they listened with attention, but they were not allowed to answer, neither when the sermons were delivered, *viva voce*, nor when they afterward appeared in print; yet they do not appear to have ever been provoked to use any angry expression, although one of the Episcopalian champions, in the height of his zeal, addressed his majesty, and alluding to the order of his fettered opponents, repeatedly exclaimed:—Down with them! Down with them!

When a person in power wishes to get rid of a troublesome inferior, it is easy to make or find an occasion for a quarrel. Never was this better exemplified than in the case of Andrew Melville. On the festival of St. Michael, which was celebrated with much pomp, Andrew Melville and his nephew were ordered to be present. The music and the entertainments of the day were not much to the taste of the Scottishmen; but the elder Melville viewed with peculiar abhorrence the decorating of the chapel, particularly the altar, on which stood two shut books, two empty cups, and two unlighted candles.\*

\* The prince de Vendome, who was present, said, he did not see what should hinder the churches of Rome and England to unite; and one of his attendants said, almost in the very same words which king James had used in his famous eulogium on the kirk of Scotland:—"There is nothing of the mass wanting here but the adoration of the Host."

After leaving the chapel they were conducted into the royal closet, where they saw the king touch several for the cure of the scrofula, thence called the king's evil.

On returning to his lodgings, Andrew Melville gave vent to his indignation in the following epigram :

Cur stant clausi Anglis libri duo regio in ara,  
Lamina cæca duo, pollubra sicca duo?  
Num sensum cultumque Dei tenet Anglia clausum,  
Lumina cæca suo, sorda sepulta sua?  
Romano an ritu dum regalem instruit aram  
Purpuream pingit religiosa lupam?

A copy of which having been surreptitiously obtained by the king, he was summoned before the English privy council, where he frankly avowed being the author of the lines, but denied having published them, or given a copy. Bancroft, archbishop of Canterbury, then pronounced the verses a libel on the church, and even thought they contained treason. Melville, whose patience had been exhausted, vehemently broke in upon the archbishop's harangue. "My lords," exclaimed he, "Andrew Melville was never a traitor; but, my lords, there was one Richard Bancroft—let him be sought for—who, during the life of the late queen, wrote a treatise against his majesty's title to the crown of England, and here"—pulling it from his pocket—"here is the book." Then rising in warmth, and advancing as he spoke, he shook the primate's lawn sleeves, calling them "Romish rags," and lamented that such a man should have the ear of his majesty. In a similar strain of impassioned invective he attacked bishop Barlow, who came to the assistance of Bancroft; and when a Scottish nobleman desired him to remember where he was, and to whom he was speaking, he replied:—I remember it very well my lord, and am sorry that your lordship, by sitting here and countenancing such proceedings against me, should furnish a precedent which may yet be used against yourself or your posterity." He was then removed, and after the council had deliberated a little recalled, when he was admonished by the chancellor, to add modesty and discretion to his learning and years, and told that he had been found guilty of *scandalum magnatum*,

For this trifling offence, if it can be called an offence, neither the genius, learning, services, piety, nor age, of the venerable Melville, could procure a pardon. He was first committed to the custody of Dr. Overall, dean of St. Paul's, and afterward sent prisoner to the tower, where he was confined for four years. His release was obtained through the intercession of the duke of Bouillon, who wished to place him at the head of the Protestant university at Sedan, but not without considerable opposition from the queen regent of France, who was anxious to prevent such a man from settling in that country. He was himself extremely desirous to return to his native land, but all the interest that was used on his behalf was fruitless, and in the month of April, 1611, he embarked from the tower of London for the place of his exile. Of his late years not much is known. He died at Sedan, 1622, after a laborious life spent in the service of literature, his country, and the church. His nephew, James, a man of a more mild and amiable disposition, was confined first to Newcastle, and afterward in Berwick, within sight of his native country, which he was never permitted to visit. The others were sent to Scotland, but restricted to separate and remote districts.

This open breach of faith, and notorious act of oppression, it is impossible to stigmatize in language too strong. The ministers were invited to an amicable conference, and to give their advice upon the state of the church, which when they had obeyed, they were insulted, imprisoned, and banished, without a trial, and without even the imputation of a crime. Throughout the whole transaction there is a mean, pitiful vindictiveness, that, while it marks strongly a spirit of implacable animosity and personal revenge, places James and his counsellors in the most despicable point of view. At the same time, the noble, independent spirit of the plain, persecuted ministers, throws a lustre around their character, which shines with peculiar brilliance when contrasted with the low, sycophantish behaviour of their mitred opponents. \*

\* In this statement I have chiefly followed Dr. M'Crie, whose long account of the conferences and treatment of the ministers in their London expedition, is not one of the least interesting passages in his able Life of Andrew Melville.

The men, whose talents were most formidable, and whose influence was most dreaded, being thus disposed of, the bishops returned to be present at a convention of the ministers of the church. This convention was summoned to consult with certain members of the privy council, upon the remedies for bypast distractions, the best method for preventing the dangers arising from the great increase of Papists, for settling peace and good order in the kirk, and ensuring obedience to the royal authority. The members were nominated by the king, who, in letters addressed to the different presbyteries, directed them to choose such persons as he knew would prove subservient to his will. The numbers varied in the different presbyteries; from some six, and from others only half that number were selected; and, calculating upon the opposition of some of the presbyteries to this mandate, those named were, by private letters, commanded to attend whether they received commissions from their presbyteries or not. By this means about one hundred and thirty-six ministers were collected, several of whom had no commission from their presbyteries to vote, and some were even interdicted; they, nevertheless, assumed the name and title of a legal assembly. It would still, perhaps, have been too rash a step to propose, even in a meeting constituted as this was, the complete establishment of Episcopal jurisdiction. An overture was therefore laid before them from the king, in which his majesty expressed his opinion, that the greatest cause of the misgovernment of church affairs was their being committed into the hands of ignorant and inexperienced men, and declared it to be his "advice and pleasure, that one of the most godly and grave, and meetest for government, should presently be nominated as moderator of each presbytery, to continue in that office until the jars among the ministers were removed, and the noblemen, professing Papistry within the kingdom, either reduced to a profession of the truth, or repressed by a due execution of the laws; that the moderators should have an additional stipend of one hundred pounds,\* and the bishops to be the moderators of the presbyteries within whose bounds

\* Scottish money.

they resided." Such was the overture, as originally proposed and carried; but when published as an act of assembly, after it had been revised at court, it was found that the bishops were not only appointed moderators of the presbyteries within whose bounds they resided, but also perpetual moderators of the provincial synods. The moderators and the clerks of presbyteries, now rendered permanent, and entirely dependant upon the bishops, were declared to be official members of the general assembly. At the close of the assembly, an admonition was given to the brethren, to beware of speaking any thing unadvisedly against his majesty. It was afterward discovered, that a large sum of money had been distributed by Dunbar, in addition to all his other arguments, in order to attain his object.

When the assembly rose, the synods and presbyteries were charged to receive their constant moderators. A number of the presbyteries complied, but all the synods, except Angus, refused. They protested against the assembly as illegal, not having been duly elected, and demanded, at least, to see the act they were called upon to obey; but not a copy of it, no not even an extract, could be produced, and they were required to take the mere word of the king's commissioner in its room. As this did not satisfy them, the ministers were sent to prison, or declared rebels, and forced to abscond for disobedience. The synods were interrupted, dispersed, and prohibited, and the whole land was thrown into confusion, by the intemperate violence with which the agents of government endeavoured to carry into effect an act they had not to produce, and which several of the members of the Linlithgow convention contended was essentially different from their imperious mandates. \*

\* As a specimen of the manner these men, who were constantly professing to seek the peace of the church, endeavoured to obtain that object, I subjoin an abstract of their proceedings at Perth, when they attempted to carry into effect the choosing of a constant moderator—a project, the sole end of which was to prevent confusion. Upon the first Tuesday of April the synod of Perth met. The comptroller, Sir David Murray, lord Scoone, was present as commissioner, and his orders were, to pull the last moderator out of the pulpit, if, in his opening sermon, he touched upon any of the late proceedings,

Had James, instead of endeavouring to enforce a uniformity in religion, and establish his power on the wreck of the church, turned his attention seriously, now that he had the means, to enforce obedience to the laws; had he dropped his favourite apothegm:—No bishop, no king, and adopted in its place:—No law, no king, his name might have still been fondly cherished in his native country, and the crown of Britain have descended in peace to his posterity; but he continued to pursue his mischievous plans, and to create fresh dissensions in a country the prey of hereditary feuds, which nothing but a strict, unrelaxed administration of justice could have repressed. The privy council had successfully interposed in procuring a temporary accommodation among some of the principal families, but still they were unable to prevent the terrible effects of private revenge. The earl of Crawford had assassinated Sir Walter Lindsay, his own relation, and afterward continued to reside in Edinburgh openly, and in

particularly those of the convention held at Linlithgow. He chose for his text, Amos, chap. vii. ver. 12, 13. "Also Amariah said unto Amos, O thou seer, go, flee thee away into the land of Judah, and there eat bread, and prophesy there: but prophesy not again any more at Bethel; for it is the king's chapel, and it is the king's court," and it was with difficulty the commissioner was prevented from laying violent hands upon him. In the afternoon they met, and were proceeding quietly to choose their moderator, when Scoone entered, and stopped them, because they had not waited till he produced his commission. They told him:—If he had a commission from the king or council, it was the duty of the new moderator to receive it. The commissions were then read, desiring them to choose a constant moderator from a list of four, sent according to the act of the assembly at Linlithgow. The synod requested a sight of the act, but no act could be produced, and several of the members who had been at Linlithgow asserted:—That they heard nothing mentioned in the convention about the moderators of synods. Scoone threatened to dissolve the meeting if one of the four were not chosen; often repeating:—Ye shall not make a Laurieston of me! This they told him they could not do, for one of them was dead, another unfit by disease, the third refused to accept, and the fourth had entered by violence against the protestation of the presbytery. The commissioner still insisting, the synod said it was hard to be desired to obey an act which could not be produced; which fourteen of their number, who had been at Linlithgow, declared upon their consciences was never proposed, either in private conference or public meeting, especially as it was against the acts of assembly, and the discipline which the king and the whole estates had sworn and subscribed.

defiance of the law, till David, Sir Walter's nephew, collected an armed force to avenge his death, and lord Spynie, their mutual uncle, a nobleman of great promise, interposing, was unfortunately slain. The earl of Morton, and lord Maxwell, having both pretensions to hold courts in Eskdale, when neither would submit, they prepared to appeal to arms, on hearing which, the council charged both to disband their forces. Morton obeyed, but Maxwell still persisting, he was by some means apprehended, and lodged in Edinburgh castle. After two months' confinement, he contrived to make his escape. In consequence, he was proclaimed an outlaw, and owed his safety to the fidelity of his domestics and friends. Rendered desperate by his situation, and being unable to procure satisfaction for his personal injuries in a court of justice, he determined to avenge his own quarrel. Having invited the chief of the Johnstons, who had killed his father, to a friendly interview, under pretence of employing his interest

They therefore proceeded, notwithstanding the opposition of the commissioner, who raged violently, and chose a moderator according to their usual legal method. Mr. Henry Levingston, who was chosen, was then desired to take his place; Scoone threatened him, if he dared, and rose to resist him by force. The moderator gave way, and going to the middle of the table, said meekly: "Let us begin at God, and be humbled in the name of Jesus Christ." The commissioner, on seeing his threatenings disregarded, struck his breast, and roared out in an infuriated tone: "The devil a Jesus is here," upset the table, and covered those who were kneeling near it with the green cloth; but the immoveable moderator proceeded with his prayer, and besought the Lord to be avenged on the blasphemy of his name, and contempt of his glory, trampled under foot by profane men. The commissioner then removed, and sent an order to the baillies to dismiss these rebels. The baillies replied:—They could not do so on their own authority, without a meeting of the town council. Their next meeting, however, was prevented from being held in the church, as the doors were locked. The people, who had assembled in great numbers weeping, cursed the instruments of that disturbance, and would have proceeded by violence to break open the doors, but the ministers restrained them, and the meeting was held in the open air, the zeal of the citizens quickly furnishing every accommodation in their power. This, said the moderator, is the fruit of the convention at Linlithgow. After the commissioner was gone, the business was finished quietly; but the moderator of the former synod was put to the horn, and forced to abscond, because a minion of the crown had raised this disturbance.—Calderwood, p. 56-7.



to procure the king's pardon, he treacherously murdered him, by sending a brace of bullets through his back.

In the summer of 1605, the scheme of colonizing Lewis was resumed, and Lumsden of Airdrie, and Sir George Hay of Netherliff, to whom some of the original projectors had made over their right, went thither in the autumn to put it into execution. With the assistance of M'Kay and M'Kenzie they obliged a number of the inhabitants to remove from the island, and give hostages not to return.\* Having accomplished this, and thinking they had secured possession, the leaders left a force, such as they conceived sufficient to maintain it, and returned south. The colonists, although occasionally assaulted by the Islanders, kept their position all winter. In the spring Airdrie returned to them with supplies, and they immediately began to build, manure the lands, and prepare for a permanent establishment; but the funds beginning to fail, the soldiers deserted, and the exiled natives, assisted by a number of the neighbouring Islanders, made an invasion about the end of harvest, and by continual skirmishing, so wearied out the new possessors, that they were glad, for a small sum of money, to make over their rights to the chief of the clan M'Kenzie.

During this year the project was again revived, and the Islands were now offered to the marquis of Huntly for ten thousand pounds Scots, Lewis and Sky excepted; but he refused to give more than four hundred, for liberty to subdue what he was uncertain whether he might be able to retain. The negotiation was broken off, and we hear no more of James' attempts at reducing the Hebrides.†

More severe and effectual measures were taken with the borderers; the most desperate, and those who were most dreaded were carried to the continent by Buccleugh, where the greater part fell in the Belgic wars. The remainder, unable to resist, and unwilling to rest, were extirpated by the

\* Calderwood, p. 537. Spotswood, p. 496.

† It was a strange idea to employ the savages of Badenoch to *civilize* the barbarians of the Western Isles, and at a time when the government was professing a strong hatred at Popery, to sell them to a Papist.

cruel policy of the earl of Dunbar, and the debatable lands, which had hitherto afforded the freebooters an asylum, were divided and appropriated to each kingdom. Yet many years elapsed ere they were brought under a proper subjection to the laws, and the thieves of Annandale, till the labours of the persecuted ministers, after the restoration, introduced among them a knowledge of religion and morality, continued to harass and rob the western borders.

A meeting of the estates was this year held, to forward the political union with England, and they appear to have been sufficiently obsequious; but the English parliament not proving quite so manageable, the project was at that time laid wholly aside, and it is worthy of remark, and it ought to endear to every Briton, the invaluable rights and privilege of a free parliament; that while the political union of the two kingdoms was discussed, and that with a considerable degree of jealousy and asperity on both sides, in the high councils of England and Scotland, even as then constituted, no proscriptions, imprisonments, or exile, was the consequence; while the uniformity in church discipline, which was urged by prerogative, alone was carried on with a relentless cruelty, which eventually and justly proved fatal to the race of the Stuarts.

About this time the hopes of the nation and the court were raised high, by the discovery of a silver mine in the neighbourhood of Linlithgow. Some specimens were of the richest kind, yielding, from one hundred ounces of ore, about sixty ounces of silver. But James disgusted the Scots, by ordering the produce of the mine to be conveyed to London to be refined in the tower, and was himself soon disappointed, the vein being speedily wrought out or lost. The gold mines of Crawford muir were also resumed with similarly extravagant expectations, and similarly insignificant results. They repaid an expense of three thousand pounds, by a produce of not quite three ounces of gold.

It would be as tiresome as useless to repeat all the protestations and promises of the king and the bishops, respecting their desires for peace, and their aversion to encroach on the liberties of the church, or overthrow her discipline; in every

instance they were broken; and the low cunning, the falsehood, the dissimulation, the cruelty, and the injustice of their proceedings, might have remained an unparalleled stain upon our history, had not the atrocious reigns of Charles II. and his brother outdone them in iniquity. The appointment of the constant moderators had upon trial been proved to be obnoxious to the people and the ministers, when uninfluenced. The king, who foresaw this opposition, and pronounced that in many places it would be conscientious, desired force to be used.\* But the bishops employed a more powerful and less invidious instrument. A number of the ministers were in extreme poverty, and the bishops had obtained the power of regulating their stipends; nor could they even procure what was allotted to them until they, and the constant moderators, gave a warrant to that effect, and Calderwood laments the sad, but natural influence which this had upon many of the weaker brethren.† The bishops, besides, in their private interviews, urged the folly of contending with the king, whose intentions they affirmed had been greatly misrepresented, and from the circumstances of dependance in which the ministers were now placed, their arguments were heard with a less scrupulous ear, than in other situations they would probably have been.

Whenever any new aggression was to be made upon the church, the attention of the ministers was always directed to

\* "As touching the conclusion taken for the constant moderators, his majesty did thank them for their travels; but whereas they were of opinion that the act should be universally received—for so much the assembly had written—he said that he knew them too well to expect any such thing at their hands. Their conscientious zeal to maintain parity, and a desire to keep all things in a continuall, constant volubility, he said, was such as they would never agree to a settled form of government. Besides, he knew that divers of those who were nominated to the places of moderation would refuse to accept the same, lest they should be thought to affect superiority above their brethren: that therefore he would have the council to look to that business, and direct charges as well for those that were nominated to accept the moderation, as to the ministers of every presbytery to acknowledge them that were nominated."—Spotswood, p. 503. What a tribute to the disinterestedness of the "sincerer sort of the ministrie," extorted from an enemy!

† Calderwood, p. 575.

the prevalence and danger of Popery, and the marquis of Huntly was made use of by the court to keep them in alarm or employment, while the measures were in preparation which it wished to forward. As it was an object of importance to obtain the sanction of an assembly, which had the show of legality, to the proceedings of the convention at Linlithgow, the bishops raised the usual cry, and availing themselves of the feelings it gave rise to, represented the necessity of harmony among the professors of the Protestant faith in the time of danger, and of a meeting of the general assembly, to devise the most effectual means for resisting Popish intrigue. Previously to which, however, a conference was held at Falkland, where it was agreed to leave the questions relative to church government untouched till the next general assembly, and that then nothing should be introduced which might engender strife, but that all matters of controversy should be left to a select committee for their private discussion.

The assembly met at Linlithgow, July 26th. It was composed chiefly of such as had been influenced by the bishops, besides about forty noblemen and gentlemen, whom the king had ordered to be there, and who, although not members, claimed a right to vote. A sentence of excommunication was pronounced against Huntly; but the main object was to obtain an insidious truce, under the fascinating names of peace and accommodation, that during its continuance, the prelates might pave the way for their complete establishment. They knew that the men who were opposed to them feared an oath, and would keep it sacred, while they were under no such scrupulous restraint. After many professions of mutual regard, it was agreed, for want of time, as was alleged, to leave what related to discipline and polity to be settled by a select number of individuals, and the whole members promised upon oath to lay down all rancour and distraction of heart and affections, which either of them had borne against other in any time by-past, and be reunited and reconciled in hearty affection; and to abstain in the mean time in public and private from reviving the dissensions by their disputes, or, as Calderwood phrases it, by "word, deed, or countenance." On their return home, they were to recommend the same to

their presbyteries, and all the contraveners of this amicable arrangement were to be liable to the censure of the synods. A commission was also appointed to correspond with the king, and in it was included all the bishops. At the conclusion of the assembly, a motion was made to request the commissioner, and those who were to go to court, to implore the king, in name of the assembly, to grant the banished and confined ministers their liberty.

Men without guile themselves, are the most liable to be imposed upon by low craft and self-interested cunning, especially when it is veiled under professions of kindness and of fair dealing. The ministers allowed themselves to be completely duped. The bishops, at the very moment when they were chaunting: "Behold how good a thing it is for brethren to dwell in unity,"\* were preparing memorials to the king, to urge him to the prosecution of the refractory ministers, and complaints against the leniency of the council.

Previously to the meeting of the Linlithgow convention, 1606, Mr. Welsh and his companions were carried from Blackness to Leith, in the month of November, in the evening, to embark for the place of their banishment; but on their arrival, owing to some delay, accidental or intended, the master of the vessel was not ready at the time, and Mr. John Murray, minister at Leith, received them into his house, and hospitably entertained them till two o'clock in the morning, when they were called upon to go on board, and he accompanied them to the beach, where numbers were waiting to take a farewell of their revered preachers. Having prayed, and sung the xxiii. Psalm, they went into the boat that was waiting, and left that land which some of them were destined never more to revisit, attended by the blessings of the assembled multitude. Murray's Christian charity was a crime which these pleaders for brotherly love could never forgive. For this, and some other frivolous causes, he was summoned before the privy council, and strictly examined, but dismissed. The prelates, not satisfied, represented the case to the king, and Murray was imprisoned in Edinburgh castle; but

\* The general assembly closed by singing the cxxxiii. Psalm.

because this was too near his old parish, and too comfortable, they now requested his majesty that he might be sent to some more distant province. They, at the same time, instructed their agent, Gavin Hamilton, bishop of Galloway, to apologize for their agreeing to supplicate for the confined ministers, from the circumstances in which they were placed; and to show that they were sincere in their enmity, enjoined him to urge his majesty to send orders to the council, to remit nothing of the rigour of their confinement, unless they humbly acknowledged their faults, which Hamilton was to dwell upon as chiefly committed against his majesty's prerogative. They also insinuated that the temporalities granted to the lords of erections should be reclaimed; that all presentations to vacant churches should revert to his majesty; that they should be admitted to seats in the court of session;" \* and they conclude, by recommending a general order to be sent for the disarming of the country—a proposal which ought to have opened the eyes of government to their critical situation, and convinced them of the misrule which could render such a proceeding necessary. A well governed people may at all times be trusted with weapons; it is only when maleadministration has spread misery and discontent that rulers need resort to so ungracious a measure.

Immediately after the discovery of the gunpowder treason, an oath of allegiance was demanded from all English subjects, particularly Papists, in which they were required to abjure the power claimed by the Pope of deposing kings, and disposing of their kingdoms, and, what seems constantly to have haunted James: "That damnable doctrine, that princes which be excommunicated may be lawfully murdered by their subjects, or any other whatsoever." The Pope, in two breves, strictly forbade any of the Roman Catholics to take the oath, and cardinal Bellarmine wrote a letter to the Romish archpriest, Blackwell, who had taken it, exhorting him to repentance, and stedfast adherence to his spiritual allegiance, even although he should suffer the crown of martyrdom. To

\* Memorial by the bishops, to be proposed to his most excellent majesty.  
—Calderwood, p. 602.

counteract the effect of these dangerous publications, James wrote a reply, entitled, *Triplici nodo Triplex cuneus*, or an Apologie for the Oath of Allegiance, as an Answer to the Breves, &c. In about half a year, Bellarmine answered the royal disputant under the name of Matthæus Tortus. In it he accused James of deceiving the Roman Catholics, and of having departed from these principles of toleration which he had professed; asserted that some of his officers of state had given the pope and cardinals reason to hope that he would profess himself a Catholic when he came to the throne of England; that he had himself written letters full of courtesy to cardinals Aldo, Brandino, and Bellarmine; and what was the most serious of all, he had written a letter with his own hand to pope Clement VIII. soliciting a cardinal's hat for the bishop of Vaison. This letter, which both James and his secretary had solemnly denied any knowledge of [vide page 251.] when questioned by Elizabeth, and which, from that time, had remained unnoticed, being thus brought forward in the face of Europe, could not now be answered by the royal negation. Lord Balmerino, who was then at court, was asked by the king:—If any such letter had been written at any time? He reminded his majesty that such a letter had been written by his majesty's own knowledge; but perceiving that this was a subject the king was inclined to forget, he chose rather to throw himself upon the king's mercy than stand upon his defence, and humbly entreated his pardon, as what he had done was with the best intentions, to purchase the pope's favour, and forward his claims upon England. He was afterward examined before the privy council, where it is said he confessed that he had written the letter without the king's knowledge, and presented it, among other papers, for signature to his majesty, who subscribed it without a perusal. \* Balmerino himself, however, in his narrative asserts, that the king was not ignorant of the correspondence with Clement, nor was he averse to it, only he hesitated about conceding to the pope his apostolical titles; but when he—

\* Spotswood, p. 508. The archbishop was his decided enemy, of course his testimony is liable to suspicion.

the secretary—had affixed them, and presented the letter along with other despatches to different cardinals, he signed it without hesitation; and this narrative, which bears an air of truth, coincides with the answer he gave James when first questioned on the subject. But it was necessary that the character of a Protestant king, notwithstanding he gloried in a Popish title, “Defender of the Faith,” should be free from any imputation of holding a correspondence with the pope; and Dunbar and Spotswood were bent upon the secretary’s ruin. After much art and intrigue he was induced, upon a promise of his life being spared, and his estate secured, to acknowledge that the letter had been surreptitiously obtained, after the king had refused to have any intercourse with the Roman pontiff.

He was early next year sent to Scotland to stand trial, and after being exhibited in Edinburgh as a spectacle, in a public procession to his place of confinement, he was delivered to lord Scoone, who conveyed him with a guard of horse to Falkland prison, whence, after a month’s confinement, he was carried to St. Andrews, to appear before the court of justiciary. He was accused of having acted treasonably and undutifully, to the disparagement of his majesty’s honour, life, crown, and estate. In answer, he repeated his former declaration, and was found guilty upon his own confession; but no sentence was pronounced till the king’s pleasure should be known. After trial he was carried back to Edinburgh, where he received, by the king’s orders, the doom of a traitor; but the previous promise was kept; he received a pardon, and after being imprisoned for some months in Falkland, he was permitted to retire to his estate. He died in about two years after. He was a man possessed of excellent talents for public business, and at first favoured the schemes of the king; but when he perceived the encroaching spirit of the prelates, he silently endeavoured to counteract their influence. He prevented their obtaining seats in the court of session, of which he was president; and, perhaps, it was to that, and his opposing the restitution of the church lands, that he owed the enmity of the clergy, and that his character, has been handed down to us as stained by insatiable avarice, as his



integrity on the bench, in opposition to the secret influence of Dunbar, in all probability hastened his disgrace.

The parliament, which had been repeatedly prorogued, last met in the end of June, and the bishops, who had received a "new light" during the pernicious truce, now fully convinced of the Scriptural authority of Prelacy, rode in great pomp to the opening of the session, the archbishops before the earls, and the rest of the bishops before the lords. At this meeting, the commissary, or consistorial courts, which had been taken from the clergy at the reformation, as inconsistent with the ministerial office, were restored to the bishops, and all spiritual and ecclesiastical causes which occurred within their dioceses, were ordered to be determined by them or their commissioners. An act also was passed, respecting the dresses of the judges, magistrates, and churchmen, the regulating of which was referred to his majesty, that he might display his royal taste in the cut and colour of the official garments. Patterns accordingly were sent from London not long after, for the apparel of the lords of Session, the justices, and other inferior judges, for advocates, lawyers, and all that lived by that profession, and command was given to every one whom the statutes concerned, to provide themselves in the habits prescribed, under pain of rebellion! But the greatest anxiety appears in providing proper raiment for the dignified clergy, I quote the act. "Considering what slander and contempt have arisen to the ecclesiastical estate of this kingdom, by the occasion of the light and indecent apparel used by some of that profession, and chiefly these having vote in parliament, it is therefore statuted, that every preacher of God's word, shall hereafter wear black, grave, and comely apparel, beseeming men of their estate and profession; likewise, that all priors, abbots, and prelates, having vote in parliament, and especially bishops, shall wear grave, and decent apparel, agreeable to their function, and as appertains to men of their rank, dignity, and place." The grave conclusion of the act is exquisitely ludicrous. "And because the wholly estates humbly and thankfully acknowledge, that God of his great goodness, has made the people and subjects of this country so happy as to have a king reign over us, who

is most godly, wise, and religious, hating all erroneous and vain superstition, just in government, and of long experience therein, knowing better than any king living, what appertains, and is convenient for every estate in their behaviour and duty, therefore, it is agreed and assented to by the said estates, that what order so ever his majesty, in his great wisdom shall think meet to prescribe for the apparel of churchmen, the same being sent in writ by his majesty to his clerk of register, shall be a sufficient warrant to him for inserting thereof in the books of parliament, to have the strength and effect of an act."

Soon after the parliament rose, Spotswood was created an extraordinary lord of session, which was the more obnoxious, as his father, the venerable superintendent of Lothian, had procured a declaration from the general assembly, that the ministerial function was incompatible with the discharge of any civil office. But the design of re-introducing ecclesiastics to the court of session, was laid aside on the institution of a new tribunal, which conferred on them a power almost equal to what the Spanish inquisition possessed. The king, in virtue of his prerogative alone, issued a commission under the great seal, to the two archbishops of St. Andrews and Glasgow, authorizing them to hold in their respective cities, courts of high commission, to call before them, at such place as they should think meet, any persons within the bounds of their provinces, and take cognizance of their lives, conversation, and religious opinions, and if found guilty or contumacious, to punish them by fine, imprisonment, or excommunication, which they were empowered to command the preacher of the parish where the offender resided, to pronounce, and in case of his refusal or delay, they were to call him before them, and punish his disobedience by suspension, deprivation, or imprisonment. In these commissions, a number of noblemen and gentlemen were conjoined with the archbishop and bishops, but this was a feeble protection against the illegal institution, as the archbishop with four, made a quorum, and he could at any time summon four devoted to his will, while the nobles, or such as might have opposed his proceedings, were engaged in other avocations; but they could

form no court without the presence of the archbishop. The jurisdiction of these courts was as extensive, as their power was despotic, it reached to every rank, and from their decisions there was no appeal. Schools and colleges were subjected to their visitations.

Possessed of such extensive powers, as lords of the high commission, lords of parliament, council, exchequer, session, and regality, constant moderators of presbyteries, patrons of benefices, and commissioners of the general assembly, their authority in the church became irresistible, and they thought they might now venture to call a meeting of her once formidable high judicatory, and submit the question of episcopacy to their determination. In a common letter sent to the king, requesting him to call an assembly, they promised to be answerable to his majesty for the performance of what they undertook, and assured him the ministers, even the most refractory, would suffer things to proceed, and be quiet, because they could no longer strive. The assembly was, in compliance with their wishes, appointed to be held at Glasgow, in the month of June, 1610; but still, although the most able of their opponents were banished, imprisoned, or confined within their respective parishes, they durst not trust the remainder with a free election. His majesty, in missives sent to the different presbyteries, nominated the persons they should appoint as members, and the archbishops sent circulars along with them, exhorting them to obedience, and "not to provoke the king's majesty to wrath, without any necessary occasion." The earl of Dunbar was sent down as king's commissioner, and with him three English doctors, to consult and arrange the business that was to be brought before the assembly. With these injunctions, the greater part of the presbyteries complied, and an assembly, composed of the bishops, the constant moderators, and the representatives of presbyteries, met at the appointed time.

From a body so composed, no opposition to the measures of the court was either expected or received. The convocation of general assemblies was declared to be a branch of the royal prerogative, and the assembly held at Aberdeen, 1605, pronounced unlawful. The constant moderation of the pro-

vincial synods was confirmed to the bishops, and no sentence of excommunication or absolution, could be pronounced without their permission. All presentations were to be directed to the bishop of the diocese, by whom the presentee was to be tried; and in cases of deposition, he was to sit in judgment, and pronounce sentence on the delinquent. Every minister at his admission, was ordered to swear obedience to his majesty and his ordinary;\* the visitation of the clergy within their diocese, was likewise conceded to the bishops. By way of salvo it was added, that in the exercise of discipline, the bishops were to be assisted by the ministers within the bounds, all mention of the hated word presbytery, being carefully avoided, and that they were to be subject in all things, life, conversation, office, and benefice, to the censures of the general assembly, and if found culpable, they might be de-

\* The following was the form of the oath, which is in essence an oath of supremacy, and was made explicitly so in the ratification by act of parliament. I, A. B. nominated and admitted to the church of D. utterly testify, and declare in my conscience, that the right excellent, right high, and mighty prince James the sixth, by the grace of God, king of Scots, is the only lawful supreme governor of this realm, as well in things temporal, as in the *conservation and purgation of the religion*; and that no foreign prince, prelate, state, or potentate has, or ought to have any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm; and therefore I utterly renounce and forsake all foreign jurisdictions, powers, superiorities, and authorities, and promise, that from this time forth, I shall and will bear faith and true allegiance to his highness, his heirs, and lawful successors, and to my power, shall assist and defend all jurisdictions, privileges, pre-eminences, and authorities, granted and belonging to his highness, his heirs, and lawful successors, or united and annexed to his royal crown. And farther, I acknowledge and confess to have, and hold the said church, and possessions of the same, under God only, of his majesty and crown royal of this realm, and for the said possessions, I do homage presently unto his highness in your presence, and to his majesty, his heirs, shall be lawful and true. So help me God Calderwood, p. 632. He remarks, p. 638, that the words, "to his ordinary," appear an interpolation in the register. In the ratification, the terms, *conservation and purgation of religion*, were exchanged for, "in matters spiritual and ecclesiastical, as in things temporal."

Subjoined to the oath of submission to the king, a clause promising obedience to the ordinaries was likewise interpolated by the parliament. I, A. B. admitted to the church of D. promise and swear to D. bishop of that diocese, obedience, and to his successor in all lawful things. So help me God.

prived, with his majesty's advice and consent. But, as if convinced of the frailty of their cause, and knowing the aversion of the people to their order, it was forbid to any minister, either in the pulpit, or in public exercise, to argue against, or disobey the acts of this present assembly, under the penalty of deprivation, and particularly, that the question of equality, or inequality in the ministry, should not be discussed in the pulpit under the same forfeiture. The assembly had consented to use the terms, ministers within the bounds, in the full understanding that presbyteries were meant, but the earl of Dunbar announced that he had his majesty's orders to abolish presbytery by proclamation. At this, the members, who had allowed themselves to be cozened out of the most important rights of Presbyterianism, when the intention was openly avowed without circumlocution to take away the lesser, evinced by their universal alarm and grief, that their affections were still placed on that mode of church government, the whole assembly entreated the commissioner to desist from making that proclamation, for some time at least, till his majesty should be informed of the proceedings of that assembly. To this he consented, at the request of some noblemen, who promised to intercede with his majesty, that he should be blameless for the delay, and who had probably been instructed before the meeting, in the part they were to perform. When the assembly broke up, the bishops were loud in their praises of unity, but besides the artifice and falsehood which had been used, it cost his majesty not less than forty thousand merks, as arrears of stipends to the moderators, and as travelling expenses to the others, particularly the north country ministers, to accomplish this desirable end. The powers granted to the bishops at this assembly, were afterward confirmed by act of parliament, but all the restraining clauses were abolished—they were freed from the jurisdiction of the general assembly, and rendered accountable only to the king.

The assembly and the parliament had conferred upon the Scottish bishops, all the honour and power they had to bestow, but to imprint that indefinable, indelible sanctity of character, which is communicated by the imposition of a true bishop's hands, was beyond the reach of humble presbyters; they had

not themselves received it, the fathers of their church despised it, and as it could only be obtained through the polluted channel of Rome, thought they were fully as well without it. The English bishops were more highly favoured. Although they had withdrawn their allegiance from the Papal see, they could boast of having derived their consecration from that only ancient, true, though corrupted, church, and through her could trace their spiritual pedigree up to the apostles, to whom the sacred trust was originally committed. As the legitimate, though disowned heirs of this succession, they assumed the exclusive right of dispensing the divine institution of ordination to the inferior clergy, and consecrating and setting apart their brethren to the higher offices. James had adopted the views of the English bishops upon this subject, and soon after the assembly at Glasgow was dissolved, called the archbishop of Glasgow, and the bishops of Brechin and Galloway, to court, as they were still deficient in this great requisite. At their first audience, his majesty told them that he had, at great expense, recovered the bishoprics,\* but could not make bishops, nor were there any persons in Scotland who could. He had, therefore, sent for them to England, that being consecrated themselves, they might at their return, give ordination to their brethren. The archbishop stated some scruples, lest his church might perhaps suppose this a mark of subjection to the English, as the archbishops of York and Canterbury had formerly laid claim to clerical superiority, but his majesty was prepared for this, and had provided against it, by appointing the bishops of London, Ely, and Bath to officiate, none of whom had ever made any such pretensions. But the bishop of Ely started a more formidable objection, the Scottish bishops had never received any ordination from a bishop, and therefore, must first be ordained presbyters. The archbishop of Canterbury resolved this doubt, by remarking, that when there were no bishops, ordination by presbyters must be held valid, otherwise it might be doubted, if there were any lawful vocation in a number of the Protestant churches. The bishop

\* The king bought back the alienated lands and revenues for a sum, calculated at above 300,000 pounds sterling.

of *Elly* acquiescing in the observation, the three Scottish bishops were regularly invested with the apostolical character, and despatched to their own country, to communicate a similar sanctity to their unconsecrated priesthood. Episcopacy was now triumphant, but the lowest presbyter who had preserved his integrity, had no reason to envy the triumph.

In reviewing the means by which this was accomplished, the perjuries of the king and of the prelates, the persecutions—Prelacy, both in England and Scotland, as a creature of the state, was introduced by force, and secured by persecution—the dissimulation and the bribery, the utter contempt for every principle of civil liberty, and the open avowed support of the most tyrannical measures; or the consequences, the complete subversion of all that was free in the Scottish constitution, and the establishment of unlimited despotism in the hands of the king and the priests, it is obvious, that the determined opposition the hierarchy encountered from our forefathers, so far from springing from a dark and gloomy fanaticism, arose from a hatred to that tyranny which oppressed them, and a rational predilection to that form of ecclesiastical government, which was endeared to them by the friendly assiduities of their ministers, from whose affectionate labour and kindly intercourse they received instruction in health, and consolation in times of sickness or distress. The Presbyterian minister forms a connecting link in society between the lowest and the highest, he is the almoner of the rich, and the advocate of the poor, while the prelate's rank, state, and income, which places him on a level with the peers of the realm, precludes that intercourse between him and his flock, which the apostles cultivated, and which, more than ordination, conveyed in uninterrupted succession, is calculated to confer the apostolical character. Andrew Melville, when he heard of the overthrow of Presbytery, and the erection of a hierarchy on its ruins, in the bitterness of his heart, expressed, either as a wish or a prophecy, his desire that the main instrument in that most unpropitious revolution, might never again set his foot in Scotland, and he never did. Upon the accomplishment of this grand object, Dunbar went to London, and soon after died at Whitehall. He was unlamented in Scotland, except

by the bishops, but James had to regret the loss of a servant obedient to his most arbitrary mandates, which he carried into effect with a zeal and success that entitled him to no gratitude from his country. A feeble effort was made by the officers of state, who, under the sway of the favourite had dwindled into mere puppets, to regain their proper influence, by re-establishing the Octavians, but a worthless minion succeeded, who, without the abilities, attained the power of the earl, and engrossed by himself or his friends, all the high offices of trust and emolument.\* Kerr, of the family of Fernihurst, created earl of Somerset, first the page, afterward the papil, and now the favourite of James, was appointed treasurer, collector, and comptroller of the revenue by his master, who delighted in the idea of having a statesman of his own training, at the head of affairs. His relations were promoted to the chief places in the administration; Sir William Kerr of Ancrum, his cousin-german, received the command upon the borders, which Sir William Cranston had held, Sir Gideon Murray, his maternal uncle, was made deputy treasurer, and Sir Thomas Hamilton, the king's advocate, his brother-in-law, was first made register, and afterward secretary. Sir John Skeene, one of the ablest lawyers, and best antiquaries in Scotland, who had long held the situation, had sent his son to court with his resignation, which was not to be produced, unless he himself got the appointment; but the intrigues of Somerset prevailed, the younger Skeene was induced to present the resignation without procuring the reversion, and the office was bestowed upon Hamilton.

But the rapacity of Kerr's kinsmen, was as craving as their ambition.—Lord Maxwell, on his return to the country, after skulking some time in disguise, was apprehended in Caithness, brought to Edinburgh, and executed, but the crime for which he suffered, was not the one he had committed. In his absence, he had been found guilty of wilful fire raising, and as this implied a species of treason, by which his estates were forfeited, he was executed on this verdict. The attainder of so ancient a family alarmed the nobles, nor were their fears allayed by the

\* Commonly called Carre by the English writers, and by some of our own.



heartless and cruel persecution which James authorized, or allowed to follow his own cousin-german to his ruin. Mary had conferred on Robert Stuart, her illegitimate brother, the islands of Orkney, and the title of earl. His son, impoverished by expensive buildings, and attendance at court, sought to replenish his finances, by measures which his enemies represented as oppressive, and which if so, were visited with a retaliation not less illegal or despotic; but the real crime of the unfortunate earl, was most probably his extensive possessions, the secular portion having attracted the avidity of the favourite, and the Episcopal revenues, of which he had received a grant from the crown, equally alluring, were as keenly eyed by the prelates. Among his other Episcopal expenses, the king purchased a large mortgage, with which his estates were attached, and when, after a three years' imprisonment, the earl would not consent to resign his right of redemption, his estates were seized, and himself reduced to a pitiful allowance, scarcely fit to meet his necessities. Reduced to despair, he instructed his natural son, the Bastard of Orkney, to take arms, and regain the castle of Kirkwall, but he himself had been removed to Dunbarton rock, and was prevented from joining him. The castle was reduced by the earl of Caithness, and the Bastard surrendered, on condition that he should not be questioned respecting his father's guilt, but his filial piety did not avail. The father was convicted on the son's confession, the claims of kindred, and the descent from one common parent were pled in vain, every avenue to royal mercy was closed, and the favourite and the prelates divided the plunder.

About the same time, terrible vengeance was inflicted upon the clan Macgregor. A feud had existed between them and the Colquhouns, whom they defeated in several engagements, and slaughtered with the common unrelenting barbarity of savages. Having repeatedly ravaged the district of Lennox, a commission was given to the earl of Argyle, who, joining his forces with the marquis of Huntly, advanced against them. On their approach, the Macgregors fled to the wildest parts of the Highlands, and endeavoured to find refuge in the caves and forests, but their pursuers were indefatigable, till at last, further resistance being hopeless, their chief, reduced to de-

spair, surrendered to Argyle, upon condition of being transported out of the kingdom. The engagement was perfidiously fulfilled by the privy council, who ordered him to be carried to Berwick, and then brought to Edinburgh, where he suffered the death of a rebel, along with seven innocent hostages. Rendered desperate by their situation, the wretched remnant spread their spoiliations over the surrounding country, and in return, they were pursued and slaughtered as outlaws by Argyle, till a few houseless orphans were almost the sole survivors of the race. Nurtured on the wilds, and hardened by the endurance of every inclemency of weather, the children grew up a set of banditti, whose depredations caused the clan to be abolished, and the name suppressed by act of parliament, 1693. This act was repealed at the restoration, revived in 1693, and only finally abrogated in the reign of George III.

The fate of the Macdonalds forms a striking contrast to the inexorable cruelty with which the Macgregors were treated, and exhibits a melancholy picture of the manner in which justice and mercy is distributed, when left to the caprice, or the passions of individuals, unrestrained by any fixed rule. This clan revolted in Cantyre, and seized a castle in Islay, but they were reduced by Argyle, who obtained quiet possession of their lands, and no further punishment followed. Their chief, guilty of the most flagrant crimes, and stained with the most atrocious murders, who had repeatedly resisted and defied the government, fled, but in a few years was recalled, and not only pardoned, but had a liberal pension bestowed upon him!

The ill judged favouritism of James, joined with the insolence and rapacity of the Scots, produced frequent quarrels between them and the English, which invaded even the court and the king's presence, and had almost produced an universal conspiracy against the Scottish residents in London, when the ferment was in some measure allayed, by an act of exemplary justice, the more remarkable, as it is almost a solitary instance. Lord Sanquhar, in playing with an English fencing master, of the name of Turner, had the misfortune to lose an eye, by an unlucky thrust of his opponent's foil. When at the French court, some time after, the king asked how he came by the accident, and on being informed, sarcastically

asked, Does the fellow live? Sanquhar, imagining this a reproach, immediately returned to England, and employed one Carlisle, to assassinate Turner, which he did, just as he was entering his lodgings. The meanness, as well as atrocity of the crime, excited universal detestation, and Sanquhar, who surrendered himself, was put upon his trial, convicted, and, notwithstanding every solicitation in his favour, was publicly hanged at the Palace-gate of Westminster. But this act of justice, was counterbalanced by one of wanton, unmanly oppression. Lady Arabella Stuart, the king's cousin-german,\* was secretly married to the grandson of the earl of Hertford, but James having discovered the transaction, saw treason in it, committed Seymour, her husband, to the tower, and confined the lady at Lambeth, whence she was afterward ordered to repair to Durham. She escaped, however, from her keepers, disguised in male apparel, and embarked on board a French ship, that had been prepared for her reception. Seymour at the same time escaped from the tower, but being prevented from joining his lady, got a passage in a vessel belonging to Newcastle, and was landed on the coast of Flanders. A squadron was instantly despatched after the fugitives, which unfortunately overtook the vessel that carried the lady Arabella, and she was sent to close confinement in the tower, where, either the rigour of her treatment, or the weight of her sufferings, and the poignancy of her disappointment deranged her intellects, and the daughter of a Darnly sunk insane into a premature grave.

About this time, two events took place, which were to have a material effect upon the future fortunes of Britain—the marriage of James' only daughter with the prince palatine, and the death of his eldest and most accomplished son, prince Henry, at the age of eighteen, a youth of the greatest promise, and upon whom the eyes of all the Protestants in Europe were already turned. With the nation he was an universal favourite, as his sentiments were liberal, his conduct exemplary, and his recreations those manly exercises which receive the approbation of the wise, and excellency in which

\* She was the daughter of his father's youngest brother.

engages the admiration of the multitude. Such was the commanding tone of his mind and manners, that he attracted the esteem of foreign sovereigns, was a check upon the licentiousness of the royal favourites, and an object of jealousy to his father. The king, who could not suffer the heir of his diadem to match with less than princely rank, was desirous that he should marry an arch-dutchess of the house of Austria, or a daughter of the duke of Savoy, but the prince was averse to enter into so close an alliance with a Papist, and in the last letter he ever wrote, entreated his father, if he must marry any of these princesses, it might be the youngest, of whose conversion he could have some hope. He openly reprobated the influence Somerset had over his father, and lamented the facility with which he allowed himself to be governed by the most profligate sycophants, and the waste which these occasioned of the public money.

While the preparations were going forward for his sister's marriage, and the court was a scene of joyous festivity, Henry was seized with a fever, accompanied with the most violent symptoms, which, in a few days terminated fatally, threw a temporary gloom over the court, and spread throughout the nation, with the exception of the Roman Catholics, a grief, deep, sincere, and universal. The general opinion at the time was, that he was poisoned either through the arts of the Papists, or the envy of his father. Of this crime the Roman Catholics appear to have been falsely accused, and, for the honour of human nature, we would willingly believe in the innocence of the father; but the proofs that the favourite was not guiltless are too strong to be disregarded, and I am inclined to suspect with Mr. Fox,\* that the premature death of this prince was not by the visitation of God. Burnet tells us, that "Colonel Titus assured him he had it from king Charles I. himself, that he knew his brother was poisoned by Somerset;" and a letter from that king, when prince, to his sister, published by Hearn, seems to corroborate it. He says: "I know you have understood, by our father's secretary's letters, what great changes the poisoning of Overburry has made. I

\* History, 4th Edition, p. 9.

suspect other matters shall be found out, by the which it will appear, that more treacherous purposes were perchance intended against some, and practised against others ; but of this you will hear more within a short time." The court mourning was laid aside as soon as etiquette would allow, and the marriage of the princess celebrated with a pomp, splendour, and gayety, calculated to dissipate any feelings of regret the sudden death of the heir apparent might have occasioned.

The union of the two crowns, which had proved ruinous to the liberties of Scotland, promised now to prove equally so to her trade, poor as it already was. Hitherto the Scottish merchants had been treated as the most favoured nation by the French, and the duties upon their imports and exports were comparatively trifling ; but being considered no longer as an independent state, the same duties were ordered to be levied from them as from the English. In the Low Countries they were similarly treated, and in the Baltic a prohibitory system was adopted. The convention of burghs petitioned James to interfere. In consequence, the staple was removed from Middleburgh to Campvere, and the port of Stralsund was re-opened to their trade ; but they do not appear to have been replaced upon their former footing. Among the plans which his majesty had recommended for advancing the prosperity of his ancient kingdom, the improvement of the fisheries was particularly pointed out ; but this year he imposed, by virtue of his own prerogative, an excise upon herrings, which was so rigorously exacted by one captain Mason, an Englishman, that the people, particularly on the coast of Fife, threatened to leave off the trade rather than pay it. At their complaints the privy council interfered, and the collecting was stopped.\*

The laws against the Jesuits and seminary priests were severe, but those which enacted the penalty of death had remained a dead letter in the statute book, nor could they with decency have been executed, when the Popish lords were treated with so much lenity by the king. The general aversion of the people, however, to the bishops, and the persuasion every-where openly expressed, that they were favour-

\* Balfour. MSS. quoted by Guthrie, vol. ix. p. 20.

able to, and intended introducing Popery, demanded some signal display of zeal on the part of the prelates to counteract these untoward feelings and remarks. They therefore apprehended Ogilvy, a Jesuit, at Glasgow, and informed the king of the circumstance, requesting directions how to proceed. He sent down a commission to the secretary, deputy-treasurer, and advocate, to proceed to the examination and trial of the accused. When interrogated:—When he came into Scotland? upon what errand? and with whom he associated? he frankly answered the two first questions, that he had arrived in June, and came to save souls; but he honourably declined the last, declaring he would utter nothing that might implicate another; nor could promises nor threatenings shake his resolution. The commissioners, enraged at his steadfast fidelity, endeavoured to extort a confession by depriving him of his natural rest for several nights, and in the delirium thus occasioned, he made some incoherent discoveries; but as soon as allowed a little sleep, and tired nature was restored, he retracted what he had said in a state of mental confusion, and firmly persisted in refusing to name any person with whom he had associated, or any place whither he had resorted.

The king, on being informed that nothing satisfactory could be obtained from him without torture, prohibited it from being used with a man of his profession, who, if he were only a Jesuit, and had said mass, they should banish the country, and prohibit his return under pain of death; but along with this humane declaration he transmitted a series of questions, which were dangerous to a Jesuit if he answered with sincerity, but useless if he had recourse to the evasions or mental reservations familiar to his order. He replied with sincerity. He acknowledged the supremacy of the pope in spirituals, and his power to excommunicate Christian princes; and he pronounced the oath, imposed on Roman Catholics in England, treason against God. He would not, however, answer any of the interrogatories respecting the power of the pope to depose kings, or absolve the subjects of an excommunicated monarch from their oath of allegiance, and declined the question of:—Whether it was lawful to murder a king who was put without the pale of the Romish communion? as

one which the church had not yet decided. His refusal to answer questions criminating himself was most iniquitously construed, as a declining of the authority of the king and council, and he was convicted of high treason, and executed that same afternoon.

Moffat, another member of the society, was apprehended nearly about the same time, but he took a wiser course, or at least a safer one; he condemned without hesitation all the positions about which Ogilvy had scrupled, and was allowed quietly to leave the country, James, with affected humanity, declaring, that he would never hang a priest for his religion.\*

Next year, 1614, the archbishop of St. Andrews dying, Spotswood, archbishop of Glasgow, was advanced to the primacy, and Law, bishop of Orkney, succeeded him as archbishop of Glasgow. Considerable inconvenience having arisen as was alleged from the high commission being divided into two courts, with separate and distinct jurisdictions, they were both united, and, by a new mandate from the king, any of the archbishops, with four of the other members, were authorized to hold a court in any of the districts of Scotland. The turbulent, restless, and irreclaimable marquis of Huntly, was among the first who appeared before this tribunal, after its being remodelled. Notwithstanding his numerous professions, he still remained devoted to the Popish religion, and desired his officers to prevent his tenantry from attending upon the sermons of some Protestant clergymen, who had been sent to labour for their conversion. For this offence he was called before the high commission, and by them committed to the castle of Edinburgh. He had not remained there three days, when the chancellor granted a warrant to set him at liberty. The bishops who were in town, highly offended at this proceeding, waited upon his lordship, and complained of his conduct; but he asserted the dignity of his office, and his constitutional power to liberate any person committed to prison by authority of the high commission. To intimidate him, he was threatened with the displeasure of the church; but he replied:—He cared not whether the church were pleased or not.

\* Spotswood, p. 523. Arnot's Criminal Trials.

A change of circumstances often produces a strange revolution in men's sentiments. The prelatical clergy were vehement in their outcries against the presbyterian ministers for using freedoms with public men in the pulpit; but no sooner was their own illegal powers called in question, than they themselves made the pulpits resound with exclamations against the highest officer of state, because he dared to exercise his undoubted right.\* Representations were instantly transmitted to the king by both parties. The prelates complained of the chancellor for interfering with the prerogatives of the high commission, and sent the bishop of Caithness to lay their grievances at the foot of the throne. The chancellor accused the bishops of turbulence, presumption, and insolence, and complained of the liberty they took in censuring the public actions of statesmen in their sermons. The marquis, the cause of the disturbance, having previously to his imprisonment obtained leave from the king to proceed to London, had already commenced his journey. James, reduced to a perplexing alternative, the highest officer of the crown being placed in opposition to the highest court in the church, was under the necessity of declaring which should have the chief preponderance in the state. He decided for the child of his own creation, approved what the high commission had done, and sent a messenger to forbid Huntly from approaching the court, and ordering him to return to his confinement in the castle. The marquis earnestly entreated the messenger to carry to his majesty his humble supplication, and inform him that his intention in coming to London was to give him complete satisfaction, and to comply with whatever his majesty should require. The king, pleased with his promises and submission, and desirous of seeing him reconciled to the Protestant church, permitted him to proceed, and recommended him to the instructions of the archbishop of Canterbury. Huntly was not difficult to convert, nor was his probation long; and the only obstacle which prevented his being received into the bosom of the English church, was his being under the excommunication of her Scottish sister; but the prelates themselves, by sending

\* Spotswood, p. 525.



the bishop of Caithness to London, had provided a remedy. His lordship, as the representative of the Scottish church, at the desire of the king, revoked the sentence; after which, the archbishop of Canterbury pronounced the absolution, and administered the sacrament to the hopeful proselyte in the chapel at Lambeth.

The Scottish bishops, devoted as they were to the crown, did not receive this intelligence of the royal interference with that submissive meekness which became them; \* but their murmurs were silenced by an explanation from his majesty, and an apologetical letter from the archbishop of Canterbury, accompanied by a supplication from the marquis to the general assembly, acknowledging his offence, promising to continue steadfast himself, and to educate his children in the Protestant religion, and praying for a full absolution from the church of Scotland. The prayer of his petition was granted, and he was formally absolved at a meeting of the general assembly, convoked at Aberdeen ostensibly for this purpose, and for checking the growth of Popery in the north; but there were other objects of more importance brought before this assembly, the pertinacious attachment to which was the cause of all the disasters of the following reigns.

James had now brought the church of Scotland, in its outward form, to a similarity with that of England; but he was desirous also to assimilate it in its worship to the Anglican rites and ceremonies. At the Aberdeen assembly the subjects were first introduced, and after the south country ministers had been worn out, by long conferences upon the hackneyed

\* The king's conduct toward Huntly occasioned rather a ludicrous confusion in the statements of the bishops. Cowper, bishop of Galloway, who preached in the High church of Edinburgh, on the 7th of July, extolled his majesty's fatherly care, and gracious behaviour toward the kirk, who would not suffer the marquis to come into his presence, but had ordered him to return to ward; and he inveighed against the chancellor for the favour he had shown that nobleman. Next day—the 8th—letters were received from court, announcing that Huntly was received into the bosom of the church of England! And on the 14th, Spotswood, from the same pulpit whence the chancellor had been denounced, apologized for the king, promised that he would be a good boy in future, and never would do the like again!—Calderwood, p. 655.

topic of Popery, and compelled, by the exhausted state of their finances, to return home, it was ordained :—That a uniform order of liturgy be set down, to be read in all churches on the ordinary days of prayer, and every Sabbath day before sermon; and that a book of canons be made and published.\* Regulations were also adopted respecting the Episcopal catechising of children, who were to be recommended in prayer by the bishop, an interim ceremony, till confirmation could be introduced. When the assembly rose, the archbishop of Glasgow, and the bishop of Ross, were sent with the acts to his majesty to procure his royal assent. He declared himself well satisfied with the whole, except the act substituting catechising and prayer for confirmation, which he denominated “mere hotch-potch.” Along with his approval, he sent down several articles to be inserted among the canons of the church. These, better known afterward as the articles of Perth, startled even the bishops, who represented the danger of introducing them, and the irregularity of inserting among the canons what had not received the sanction of the church. James acquiesced for the time, but unfortunately did not relinquish a design which those most attached to Prelacy, and interested in its success, were compelled to acknowledge was both premature and impolitic.

\* At this assembly it appears first to have been enacted, that ministers should keep regular registers of births, deaths, and baptisms.

THE  
HISTORY OF SCOTLAND.

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BOOK IV.

AT his departure from Edinburgh, the king had promised to visit his native country every third year. His poverty occasioned by senseless profusion, had hitherto prevented him from fulfilling his promise. But the money, [£250,000,] which he received from the Dutch, on delivering up the cautionary towns, enabled him to redeem his pledge. In a letter to the council, informing them of his resolution, he ascribed the longing he had to see the place of his breeding, to "a salmon like instinct;" and with his usual disregard of truth, commanded a proclamation to be issued, declaring that he intended to make no alteration in the civil or ecclesiastical state of his native kingdom, adding, however, what he might imagine a saving clause, that he would endeavour to do some good at his coming, and to discharge some points of his kingly office in reforming abuses, both in the church and commonwealth. Previously to his setting out, he sent directions for the royal chapel of Holyroodhouse to be repaired. An organ was ordered to be erected, and a loft for the choir, and English carpenters were sent down, to superintend and assist in the alterations. They brought with them wooden statues of the twelve apostles, finely gilt, to be placed in stalls, but the populace, impressed with the idea, that these were forerunners of the restoration of idolatry, began to exhibit symptoms of aversion, which it might not have been safe to despise. "The organ came first," said they, "now the images, and ere long, we shall have the Mass." Cowper, bishop of Galloway,

who resided in Edinburgh, as dean of the chapel royal, perceived the brooding discontent, and wrote an epistle to his majesty, to which he procured the signatures of the archbishop of St. Andrews, the bishops of Aberdeen and Brechin, and numbers of the ministers of Edinburgh, entreating him to countermand his order for erecting the statues, on account of the offence that was taken at them. The king deemed it prudent to comply, but in an angry answer, accused the objectors of ignorance, who could not distinguish between pictures intended for ornament, and images erected as objects of worship, sarcastically observing, that they could allow the figures of lions, dragons, or devils to be represented in their churches, but would not allow that honour to the prophets and apostles. Jealous of his prerogative, he took care in the close to inform them, that he had stopped the setting up of the figures, "not to ease their hearts, or confirm them in their errors, but because the work could not be properly finished within the time intended."

The king arrived at Berwick in the month of May, and the parliament, which stood summoned for the 17th of that month, was prorogued to the 13th of June. From Berwick, he was conducted by slow journies to his ancient capital, which, after an absence of fourteen years, was again favoured with a sight of the sovereign. He was accompanied by a splendid train of English nobility. The citizens of Edinburgh, either wishing to display their wealth before the strangers, who so often reproached their poverty, or impress the king with a favourable idea of their loyalty, prepared to receive him with the utmost pomp and magnificence. He was met without the West Port, by the magistrates and council in their robes, and the principal burghers dressed in black velvet. The deputy town clerk, Mr. John Hay, complimented the monarch in a strain which must have been truly gratifying to his royal ears. "This is that happy day of our new birth," exclaimed the enraptured deputy, "ever to be retained in fresh memorie, wherein our eyes behold the greatest human felicity our hearts could wish, which is to feed upon the royal countenance of our true phoenix, the bright star of our northern firmament, the ornament of our age, wherein we are re-

freshed, yea revived, with the heat and beames of our sun—the powerful adamant of our wealth—by whose removal from our hemisphere, we were darkened, deep fear and sorrow had possessed our hearts. The very hills and groves, accustomed before to be refreshed with the dew of your majesty's presence, not putting on their wonted apparel, but with pale looks representing their misery for the departure of their king!" "Receive then, dread sovereign, from your majesty's faithful and loyal subjects, the magistrates and citizens of your highnesses good town of Edinburgh, such welcome as is due from those, who with thankful hearts, do acknowledge the infinite blessings plenteously flowing to them, from the paradise of your majesty's unspotted goodness and virtue. Wishing your majesties eyes might pierce into their very hearts, there to behold the excessive joy inwardly conceived of the first messenger of your majesty's princely resolution to visit this your majesty's good town." In a similar, or even more bombastic style, did the orator continue for nearly an hour, but the citizens of the good town gave more substantial proof of their loyalty, they invited the king to a sumptuous banquet, and presented him with ten thousand merks Scots, in double golden angels, and in a gilt silver bason.

After resting a few days in Edinburgh, he resumed his progress through the principal counties, and was received wherever he went, with the most lively demonstrations of joy, with splendid pageants, and royal entertainments, and he was welcomed in classic strains in every university, city, and nobleman's mansion that he visited. Happily the Scottish muse was silent; no Caledonian bard hailed his approach, and the native poetry of the country was for a while spared the degradation of being prostituted to flatter the ear of a despot, and a pedant. But his chief delight was in scholastic disputations. He ordered all the professors of Edinburgh college, to attend at Stirling, where he presided as judge, yet mingling in the debates, and to the astonishment of his admiring courtiers, displayed his erudition and ingenuity, by occasionally defending and opposing the same thesis. His approbation was conveyed in quibbles on the professors' names,

with which he was himself so highly charmed, that he directed them to be turned into English and Latin verse. \*

The principal object of James' journey to Scotland was to enforce obedience to the rites and ceremonies which he had, at the request of the bishops, withdrawn, as, from the facility with which he had changed the form of church government, he never doubted but that he would, when present, be easily able to alter the mode of worship, and for this purpose he had prepared an act, vesting almost unlimited power in his own hands, and that of the bishops. The nobles, who at this time appear to have been wholly uninterested about the fate of the church, felt a nearer concern in the fate of the church lands. They had already sufficient evidence of the rapacity, insolence, and ambition of the prelates; of their subservience to every measure of the king, and of the king's unbounded partiality for them; they therefore, and not without reason, began to entertain fears for the preservation of the rich estates which they had granted them from the spoils of the ecclesiastics at the reformation. When the parliament met, their suspicions of the king appeared in their rejecting several of the nobility whom he had recommended to be chosen lords of the articles, and electing some who were known not to be warmly attached to the court, in their room. A violent opposition was made to the admission of any officers of state, except the chancellor,

\* The names of the professors were John Adamson, James Fairlie, Patrick Sands, Andrew Young, James Reid. His majesty's witty remarks were:—

"Adam was the father of all, and Adam's son had the first part of this act. The defender is justly called Fairlie, [wonder,] his thesis had some *fairlies* in it, and he sustained them very fairly, and with many fair lies given to his opposers. And why should not Mr. Sands be the first to enter the sands? But now I see clearly that all sands are not barren, for certainly he hath shown a fertile wit. Mr. Young is very old in Aristotle. Mr. Reid need not be red with blushing for his acting this day. Mr. King disputed very kingly, and of a kingly purpose, concerning the royal supremacy of reason above anger and all passions. Charters, the principal, (he did not dispute,) his name agrees with his nature, for charters contain much matter, yet say nothing, yet put great matters in men's mouths." Some apology might, perhaps, be requisite for copying such contemptible stuff; but as James' literature has been so highly praised even by excellent judges, Bacon, Drummond, Hume, &c. I thought the reader would not be displeased to see a specimen of his taste.

treasurer, and master of rolls; and the contention arose so high, that the estates were nearly dispersing, and the king had at one time determined to dissolve the parliament; but a compromise was effected, although not till an unusually late hour at night, when the meeting broke up in bad temper, and the king and the estates went down to the palace in great confusion, some riding in their robes, and some on foot, and without the regalia being borne before them.

Having carried their main point, and secured the possession of their estates, the nobles did not appear unwilling to gratify the king by legalizing his assumed spiritual supremacy, and an act secretly passed the lords of the articles, declaring:—That whatsoever his majesty should determine in the external government of the church, with the advice of the archbishops, bishops, and a competent number of the ministry, should have the force of a law; which, as the bishops were completely at his nod, and he was left judge of what was a competent number of the ministry, was committing unlimited power, in ecclesiastical affairs, into his hands. The ministers attached to presbytery obtained, through some of their friends, intelligence of the design, and prepared a protestation against any innovation. They expressed their astonishment that a proposition of this kind should have been listened to, after the bishops had assured them, that they would consent to nothing in the parliament, respecting the discipline and order of the church, without their special knowledge and advice. They pled the establishment of the church by law, and the power granted and confirmed to the assemblies by several acts of parliament, to make canons and constitutions for their regulation; the king's repeated promises that he would make no innovation; and what ought to have brought a blush over the royal cheek, if it had been capable of blushing, his majesty's own letter, only a few months old, which at his own command had been read in all the pulpits of the kingdom, affirming that he intended no alteration during his journey. This protestation was delivered to the abbot of Crosraguel to be presented to the king; but while he was waiting in an antichamber in the palace, the archbishop of St. Andrews requested to hear its purport. Scarcely, however, had Hewit commenced, when

his grace endeavoured to take it forcibly from him, and in the struggle the paper was torn. Another copy was prepared to be presented to the estates, when the bill was about to be ratified, but the king, who understood its nature, and, callous as he was, could not be altogether insensible to the shame of being so openly convicted of frequent and deliberate falsehoods, directed the article to be withdrawn as unnecessary, the prerogative of the crown conveying more extensive powers than this act was intended to confer. Chapters, however, were constituted, and the form prescribed in which they should elect to the vacant sees such bishops as his majesty might be pleased to name.

Although the obnoxious act was relinquished, and the protest was never read, those who had been active in the opposition were followed with vindictive persecution. Immediately on the dissolution of parliament, Simpson, who had signed the protestation, \* was summoned before the high commission, and required to deliver up the names of all the original subscribers to that deed; and because he could not produce the list, it having been previously given to Calderwood, the laborious and faithful historian of the church, he was committed prisoner to the castle of Edinburgh, and Calderwood summoned to appear before the high commission at St. Andrews, to answer for being present at a "mutinous assembly of certain of the ministry, and promoting subscriptions to a seditious protestation, in contempt of Almighty God, and the reverence he owed to his majesty, his sovereign lord!" Simpson, and Hewit, one of the ministers of Edinburgh, were both likewise ordered to attend. The king was present to superintend the proceedings of the high commission. Before the accused were called, in a speech to the court, he pointed out the mode of procedure they ought to adopt. "We took this order with the Puritans of England;" said he, "they stood as long as they were deprived only of their bene-

\* The protestation was only signed by Simpson, in name of the protestors, whose names were on a separate paper, pledging themselves to adhere; but this paper was not intended to be produced, unless absolutely necessary, either to the king or the parliament, until the subscription of those who were absent, but friendly to the cause, had been obtained.—Calderwood, p. 676.



fices, because they preached still on, and lived upon the benevolence of the people friendly to their cause; but when we deprived them of their office, many yielded to us, and are become the best men we have. Let us take the like course with the Puritans here." Hewit and Simpson, on adhering to the protestation, were deprived and confined, the one to Dundee, and the other to Aberdeen; but Calderwood, as the more eminent, was persecuted with greater rigour. In the court, and in the presence of the king, while harassed with vexatious and ensnaring questions, he was not only reviled and threatened by the parasites who surrounded him, but jostled, tugged, shaken by the shoulders, and subjected to every method of teasing which could tend to disorder or confuse him; but he defended himself with calm, collected intrepidity, and, notwithstanding his treatment, maintained a respect toward James as his sovereign, which raises our admiration of his principles, while it excites our wonder at his patience. He was asked by the king, who most preposterously appears to have presided in a court in which he declared he had no rightful seat:—Why he dared to assist at that mutinous meeting? "When that meeting is pronounced mutinous," replied he, "then it will be time enough for me to answer that question." "Acknowledge your rashness, Mr. David," said the secretary, while numbers of those who were standing near were whispering to him:—Come in the king's will; it is your best way; he'll pardon you." "What was done," answered Calderwood firmly, "was done with deliberation." "But what moved you to protest?" said the king. "A proposition passed the lords of the articles for cutting off our general assemblies." "Hear me, Mr. David," continued his majesty, after having asked him how long he had been a minister, "I have been an older keeper of general assemblies than you; their office is to preserve doctrine pure, prevent schisms, draw up confessions of faith, and present petitions to the king in parliament; but as for rites, ceremonies, and things indifferent, these may be concluded by the king, with advice of bishops, and a competent number of ministers." Calderwood asserted, that the general assembly had exercised all these powers for fifty-six years, and that they had already decided upon what was a

competent number of ministers in his majesty's presence, and with his majesty's own consent; it consisted of the commissioners from the presbyteries to that judicatory. The royal disputant, who at every turn was met by his own declarations, interrupted the speaker, by asking him to explain what was meant by the last clause of the protestation—a clause in which they said that they would rather incur his majesty's censure, than obey an ordinance that did not regularly proceed from the church orderly convened—James having construed this into a threat of disobedience to his measures. Calderwood in explanation remarked, that whatever the phrase might appear to convey, the meaning of the protestors was, that they would give passive obedience to his majesty, but could not give active obedience to any unlawful regulations which should flow from the article in question. "Active and passive obedience," repeated the king; "that is," continued Calderwood, "we will rather suffer than act." "I'll tell thee, man," said the king, "what is obedience; the centurion when he said to his servants, to this man go, and he goeth; to that man come, and he cometh; that's obedience." When Calderwood was replying to this truly royal definition of obedience, "Mr. David let alone," cried the secretary, irritated at the presumption that dared to question the dictates of his majesty, "confess your error." "Convince me first, my lord, that I am in one;" and turning to the king, "I have now, Sir, answered my libel, I ought to be urged no farther." "True, man! ye have answered to your libel," replied the king, "but consider I am here, I may demand of you when, and what I will," "But surely, Sir, I get great wrong if I be compelled to answer here in judgment to more than is in my libel." "Answer, Sir," said the king, "I am informed you are refractory, you attend neither synod nor presbytery, nor in any way conform." "I have been confined these nine years, [to my own parish,] so my conformity, or non-conformity, in that point, could not very well be known." "Good faith! thou art a very knave!" was his majesty's princely retort, "see these false Puritans, they are ever playing with equivocations!" and then, after some ensnaring questions by the archbishop of Glasgow, the king interposed:—"If ye were relaxed, would

you obey now?" Mr. Calderwood repeated his objection to the fairness of being forced to answer questions relative to other subjects than those for which he had been summoned before that court; but added:—"Since I must answer, I shall either obey, or give a reason for my disobedience." He was on this removed, and after a little called in to hear his sentence of suspension. Calderwood, addressing the king, told him:—"I heard your majesty, in the public disputations, disclaim the power of deprivation; suspension is a degree of deprivation, and both are ecclesiastical censures." "It was not I," said the king; 'playing with equivocations,' "it was the archbishop of St. Andrews. I would have removed, but they would not let me!" "Then," said Calderwood, turning to the archbishop and bishops, "neither can ye suspend or deprive me, for ye have no farther power in this court than by commission from his majesty, and his majesty cannot communicate that power to you which he claimeth not for himself." At length the king, irritated, perhaps, more at his poignant and unanswerable replies than even at the firmness of the accused, ordered the archbishop of St. Andrews to intimate, that unless he quietly submitted to be suspended spiritually, he should be suspended corporally. "My body," replied the intrepid minister, "is in your majesty's hands, do with it as pleaseth your majesty; but as long as my body is free I will teach, notwithstanding of their sentence." He was now, as contumacious, deprived, and ordered into close confinement, the bishop of St. Andrews observing, he deserved to be hanged like Ogilvy, the Jesuit, for declining the king's authority. He was afterward banished for life, \* but found an asylum in the United Provinces, whence his numerous publications were circulated over his native country, with an effect which, had he been allowed quietly to remain minister of Crailing, they might never have produced. I have detailed his case at some length, as it shows, in a striking point of view, the nature of

\* When the king was petitioned by lord Cranston, that Calderwood's voyage might be deferred—it was now winter—till spring, "As for the season of the year," replied the humane monarch, "if he be drowned in the seas, he will have to thank God that he hath escaped a worse death!"—Calderwood, p. 686.

those royal and Prelatical pretensions which our fathers have been stigmatized for resisting.\*—When a remonstrance to parliament, as a late historian remarks, was punished as seditious by the high commission, ecclesiastical, or rather regal tyranny, was carried to the extreme; and he might have added:—A remonstrance, the justice of which was acknowledged by the obnoxious act being withdrawn.

The protestors being thus disposed of, in order to strike terror into the minds of the other ministers who were assembled at St. Andrews, and ensure their compliance, his majesty laid before them the articles which he wished them to adopt; these were, kneeling at the sacrament of the holy supper; the administration of this sacrament, and of baptism, in cases of sickness, in private; the institution of festivals; and the rite of confirmation by the bishops. He desired them to state what scruples they had regarding them, and their reasons, if they had any, why they ought not to be admitted; telling them, however, with the same breath, that it was of no consequence whether they approved them or not, he would enforce them; for it was “a power innated, and a special prerogative, that we Christian kings have to order and dispose of external things in the polity of the church as we by the advice of our bishops, shall find most fitting; and as for your approving or disapproving, deceive not yourselves, I will never regard it, unless you bring me a reason which I cannot answer.” The communion had already been repeatedly administered in the chapel of Holyroodhouse, and was received in a kneeling posture by the bishops, officers of state, and several of the nobility, without remonstrance, or

\* In the conduct of the supporters of Episcopacy and tyranny during the reigns of the Stuarts—and in the Scottish history of that period the terms are synonymous—there is a marked disregard to truth, and their detected lies were reiterated with as unblushing confidence as if they never had been refuted. Their practise was:—They first asserted a falsehood; when convicted, they re-asserted it; when challenged to proof, they repeated their assertion, and by dint of barefaced, shameless repetition of what they knew to be malicious calumny, they affixed a stain upon the principles, profession, and conduct of men, whose sense of moral integrity forbade their retaliating with such weapons, and whose liability to be convicted of a libel, if they dared to speak the truth, often obliged them to keep an involuntary silence.

any apparent reluctance; even the ministers of Edinburgh were silent, and neither in public or private made the smallest opposition to the innovation. The king, deceived by this apparent submission, and by the representations of the bishops,\* was astonished and irritated when the assembled ministers, instead of receiving his speech with acclamations, and overwhelmed by his wisdom and condescension, acknowledging with gratitude this proof of his fatherly kindness, came forward, and respectfully requested to be allowed to withdraw for a little, that they might consult among themselves, and return a uniform answer. The request was granted, and they retired to the parish church; in about two hours they returned, with an unanimous request for a general assembly, that the ceremonies he enjoined might receive the sanction of the church. James, who was extremely averse to that court, hesitated, because he alleged, if the assembly should refuse them, his difficulties would be greater than they then were, and when he enforced them by his authority, which he was determined to do, he would be reproached as a tyrant and a persecutor; nor was it till Mr. Patrick Galloway had pledged himself for their compliance, that the royal consent was given, and a meeting was ordered to be held in St. Andrews, on the 25th November, to ratify and confirm the obnoxious articles.

The king, whose journey, instead of promoting peace, had scattered everywhere new causes of discord, soon after took a sullen and ungracious departure, from a disappointed and dissatisfied people; no benefits had accompanied his progress, and no blessings attended his return. While passing through Lancashire, mortified and soured at the resistance he had experienced in his native country, he received a petition from some labourers and mechanics, complaining, that they were debarred from all recreations on a Sunday, after divine service. He exercised his power as supreme head of the church, in a manner not greatly calculated to recommend that branch of the prerogative to Presbyterians. Considering the Judai-

\* The king called the bishops dolts and deceivers, because they had made him believe they had dressed matters so, that he had no more ado, when he came in the country, but to give his presence.—Calderwood, p. 685.

cal observance of the Sabbath as one of the strong bulwarks of Puritanism, against which his hatred was now more than ever excited, he took advantage of the petition, and issued a proclamation, to allow and encourage all lawful games and pastimes, and commanded that his subjects should not be prevented from dancing, leaping, or vaulting, exercising archery, having May games, Whitson ales, or Morrice-dances, after divine service on the Sundays, which term he ostentatiously used, in opposition to the appropriate name Sabbath, or "the day of rest," which had been early adopted in the Reformed churches, and was the common appellation of the Lord's Day in Scotland.\*

When the assembly met at St. Andrews, notwithstanding every precaution had been taken to procure such only to be returned members, as were considered favourable to the measures of the king, or who, it was thought, could be intimidated or flattered into any thing, the articles could neither pass in private conference, nor in the public assembly. In vain did the bishops urge them not to provoke his majesty to just anger, but to prefer his favour to the applause of the factious. All that could be obtained, was a partial acquiescence in the private administration of the sacrament of the Supper, but with such restrictions as perfectly nullified the virtue of the consent. The intending communicant was to declare upon his conscience, that he believed his disease to be deadly, and give the minister twenty-four hours warning; that

\* This proclamation, equally pernicious with the decree of the French convention abolishing the Sabbath, had not even the praise of daring impiety. It was hypocritically pretended to be for the advancement of religion, and to attract the people to places of worship! For none were to be allowed to profane the afternoon of the day, who had not been at their parish church at the morning service. It was disapproved of highly, however, by the English Episcopalians, and in particular, by the mayor of London, who ordered the king's own carriages to be stopped, as they were passing through the city on the Sabbath. The court being next day to remove, the king, when he heard of the interruption, started up in a great rage, swearing that he thought there had been no more kings in England but himself, and sent a warrant to the lord mayor, ordering him to let them pass. He did so, but returned this answer, "While it was in my power, I did my duty, but that being taken away, it is my duty to obey."

there should be at least six persons, of good religion and conversation, present, to receive the communion at the same time. A convenient place in the house, and all things necessary for the minister's reverent administration of the sacrament, were also to be provided. But along with this an act was passed, which went at least obliquely to censure the practice of kneeling. The ministers were ordained to distribute with their own hands, the elements to every communicant, and "to the end the minister may give the same more commodiously, he is, by advice of the magistrates and honest men of the session, to prepare a table, at the which the same may be conveniently ministered." The other articles were referred to the decision of another assembly, on account, as was alleged, of the inclemency of the season, and the shortness of the intimation having prevented many of the representatives of presbyteries from attending this. The two acts were forwarded to the king, with an apologetical letter. His majesty, however, so far from being pleased with the concessions, was highly enraged at what he considered as an insult, and in a passionate epistle to the archbishop of St. Andrews, tauntingly asks, what is meant by a convenient room for administering the sacrament in to a dying man; for "what it importeth we cannot guess, seeing no place can be so convenient for a sick man, sworn to die, as his bed?" Then noticing the order to the magistrates and honest men of the session, to prepare a table, at which the sacrament may be commodiously ministered, he sarcastically remarks, "Truely, in this we must say, that the minister's ease, and commodious sitting on his taile, hath been more looked to, than that kneeling, which for reverence, we directly required to be enjoined to the receivers of so divine a sacrament." He accompanied his reproof with a strict injunction to observe the festival of Christmas, and an order to the council, prohibiting them to pay stipend to any minister who had opposed the passing of the articles. In a postscript written with his own hand, he added, "Since your Scottish church hath so far contemned my clemency, they shall now find what it is to draw the anger of a king upon them."

These letters, which were intended to operate upon the

fears, the necessities, and expectations of the poorer clergy, were shown to the ministers of Edinburgh, and a number of others who had come thither from the country, to solicit an augmentation of their stipends. The effect was as anticipated; it requires not only uncommon strength of principle, but of nerve, for a man to resist in the hour of temptation, when threatened with poverty on the one hand, and flattered with offers of competence on the other. It is no wonder then that some of the Scottish ministers yielded to the solicitations of their superiors, even against their own conviction. The wonder is, that so many were found firm in the day of trial.

Unauthorized by the church, on the arbitrary mandate of the king alone, the bishops proceeded to celebrate the festival of Christmas, December 25th, 1617, in their respective cathedrals, but the bishop of Galloway officiated as dean in the royal chapel of Holyroodhouse, and the roofs of that venerable pile once more re-echoed to the sound of choristers, and of instrumental music. The retainers of the court, with the servants of the bishops alone attended, the people in general pursued their usual occupations, with more than ordinary industry, and the empty churches impressively pointed out the deep and universal detestation in which this illegal attempt to introduce holydays, denounced by both the assembly and parliament as superstitious, was held. But the king, who wished to establish in Scotland, what he found it impossible to effect in England, that his proclamations should have the force of a law, ordered the observance of the festivals to be proclaimed at the Cross of Edinburgh, and the magistrates to take strict charge, that these days were not profaned by the exercise of any ordinary occupation. By his royal edict, he also commanded, that all the servants of the crown should communicate kneeling, at Easter and Pentecost, with which they complied, and they received the sacrament in this posture, administered by the bishop of Galloway, who before his acceptance of the mitre, Calderwood informs us, was displeased if invited to partake of a Christmas pie.

The bishops, sensible of the reverence entertained for the decrees of the high judicatory of the church, notwithstanding their obedience to the king, did not seem altogether satisfied



without the sanction of a general assembly, and therefore, strenuously urged the king to allow one to be called. His consent was reluctantly given, and on the 25th of August, 1518, the last which met in his reign, was held at Perth. In a letter to this assembly—his farewell one to the representatives of the Scottish church—he exhibits, in genuine unpalliated deformity, the pernicious effects of adulation and power on a weak mind, in increasing his arrogance, and nourishing his revenge. Because the meeting at St. Andrews had not, without hesitation, passed his illegal articles, “He had once determined to set himself above all law, and never again to call an assembly, but, by the innate power given him of God, to make his will the rule of their obedience, and he would not now, he declared, be satisfied by mitigations, delays, or shifts, he would only be content with a simple and direct acceptance of the articles in the form he had sent,” and the rancour he had long indulged against the ministers of Scotland, and so frequently displayed, he unambiguously avows. “What and how many abuses were offered us by divers of the ministry there, before our happy coming to the crown of England, we can hardly forget, and yet like not much to remember. Neither think we that any prince living, could have kept himself from falling in utter dislike with the profession itself, considering the many provocations that were given us,” but he desired, that on this occasion, they would let the world see by their proceedings, what a dutiful respect and obedience they owed to their sovereign prince, and natural king and lord. This letter was transmitted by the dean of Winchester, sent expressly to bring a particular account of the meeting. The articles which the assembly were required to adopt and authorize in the form sent, I insert at full length, both on account of their important consequences, and that the reader *may* have a full view of the subject.

I. KNEELING AT THE SACRAMENT. Seeing we are commanded by God himself, that when we come to worship him, we fall down and kneel before the Lord our Maker, and considering withal, that there is no part of divine worship more heavenly and spiritual, than is the holy receiving of the blessed body and blood of our Lord and Saviour Jesus Christ;

like as the most humble and reverent gesture of our body in our meditation, and the lifting up of our hearts best becometh so divine and sacred an action. Therefore, notwithstanding that our church hath used since the Reformation of religion to celebrate the holy communion to the people sitting, by reason of the great abuse of kneeling, used in the idolatrous worship of the sacrament by the Papists; yet, seeing all memory of bypast superstitions is past, in reverence of God, and in due regard of so divine a mystery, and in remembrance of so mystical a union as we are made partakers of, the assembly thinketh good, that the blessed sacrament be celebrated hereafter, meekly and reverently upon their knees.

**II. PRIVATE COMMUNION.** If any good Christian, visited with long sickness, and known to the pastor, by reason of his present infirmity, be unable to resort to the church for receiving the holy communion, on being sick, shall declare to the pastor upon his conscience, that he thinks his sickness to be deadly, and shall earnestly desire to receive the same in his house, the minister shall not deny him so great a comfort, lawful warning being given to him the night before, and that there be three or four of good religion and conversation, free of all lawful impediments, present with the sick person, to communicate with him, who must also provide a convenient place in his house, and all things necessary for the administration thereof, according to the order prescribed in the church.

**III. PRIVATE BAPTISM.** The ministers shall often admonish the people, that they defer not the baptism of infants any longer than the next Lord's day after the child be born, unless upon a great and reasonable cause, declared to the minister, and by him approved, the same be postponed. As also, they shall warn them that without great cause, they procure not their children to be baptized at home in their houses, but when great need shall compel them to baptise in private houses—in which case the minister shall not refuse to do it, upon the knowledge of the great need, and being timely required thereto—then baptism shall be administered after the same form as it should have been in the congregation—and the minister shall the next Lord's day after any such private

baptism, declare in the church, that the infant was so baptized, and therefore ought to be received as one of the true flock of Christ's fold.

IV. CONFIRMATION OF CHILDREN. Forasmuch as one of the special means for staying the increase of Popery, and settling of true religion in the hearts of the people is, that a special care be taken of young children, their education, and how they are catechised, which in time of the primitive church most carefully was attended, as being most profitable to cause young children in their tender years, drink in the knowledge of God and his religion, but is now altogether neglected, in respect of the great abuse and errors which crept into the Popish church, by making thereof a sacrament of confirmation; therefore, that all superstitions built thereupon may be rescinded, and that the matter itself being most necessary for the education of youth, may be reduced to the primitive integrity, it is thought good that the minister in every parish, should catechise all young children of eight years of age, and see that they have the knowledge, and be able to make rehearsal of the Lord's Prayer, Belief, and Ten Commandments, with answers to the questions of the small catechism, used in our church, and that every bishop in his visitation, shall censure the minister who shall be found remiss therein; and the said bishops shall cause the said children to be presented before them, and bless them with prayer for the increase of their knowledge, and the continuance of God's heavenly graces with every one of them.

V. OBSERVATION OF FESTIVALS. As we abhor the superstitious observation of festival days by the Papists, and detest all licentious and profane abuse thereof by the common sort of professors, so we think that the inestimable benefits received from God by our Lord Jesus Christ, his birth, passion, resurrection, ascension, sending down of the Holy Ghost, was commendably and godlily remembered at certain particular days and times by the whole church of the world, and may also be now; therefore, the assembly admitteth, that every minister shall upon these days, have the commemoration of the foresaid inestimable benefits, and make choice of several and pertinent texts of Scripture, and frame their doctrine and

exhortation thereto, and rebuke all superstitious observation, and licentious profanation thereof.

The general objections to these articles, were strong and manswerable. Viewed as matters not of vital importance to religion, enforcing them upon scrupulous minds or tender consciences, was directly in opposition to the Apostolic injunctions, to take heed, lest by any means this power of yours, be an occasion of falling to them that are weak, and "to give no offence, neither to the Jew, nor to the Grecian, nor to the church of God." They were likewise calculated to create divisions, and give rise to disputations, from which the Scottish church had hitherto been remarkably free, to excite a zeal for things of comparatively little moment, while the more essential duties of Christianity were overlooked, and by their admission, to open a door for other more serious inroads upon the established religion. But there was one obstacle which ought to have been insurmountable even to their introduction, and which should have prevented any man of sound moral feeling, from ever listening for a moment, to any proposal on the subject, the sacred obligation of the oaths by which they were pledged, under the most awful responsibilities, to resist all innovation in the church discipline, not authorized by the word of God, especially the introduction of any rites and ceremonies of man's invention, which had formed part of the sacred service in the church of Rome.

Besides these objections to the articles in toto, there were specific reasons for their individual rejection. The doctrine of transubstantiation, so strenuously inculcated in the Romish church, had entirely altered the institution of the Holy Supper. Instead of a sacrament, it was transformed into a sacrifice, which the priests offered up anew for the sins of the people, every time they consecrated the wafer, and when the host was elevated, the devotee knelt and worshipped the bodily presence of his Lord. This absurd and idolatrous reverence, the Scottish Reformers viewed with abhorrence. They considered the sacrament instituted as a memorial for ever, of their dying Saviour's love, in partaking of which, they held spiritual communion with him as the head, and with the brethren as the members of that mystical body, the church.

The disciples received the bread and wine from the hands of the Saviour himself, in a reclining posture, with what propriety then could his ministers require, that when they distributed the elements, they should be received kneeling, unless the ordinance were viewed as something different from what Christ had instituted, and as receiving from *them* a holiness and a character, which the immediate visible presence of the Lord could not bestow. This argument, of which it is not easy to elude the force, induced the Scottish church to adopt the sitting posture in communicating, which was indubitably the most consistent with their view of the subject. In accordance with their own opinions, the Papists, who believed in the efficacy of the sacrifice of the mass for the salvation of the soul, ordered it to be administered to the sick and dying, in private, in order to prepare them for the kingdom of heaven, but the Scottish church objected to this, as leading men to a superstitious reliance upon an ordinance for safety, instead of resting upon the one sacrifice, which the Saviour himself had offered up for his people. Baptism was considered by the Romanists, as a sacrament which effectually purified its subjects from the guilt and stain of original sin, and enabled the infant soul to appear pure in presence of the Creator; and therefore, if a child were sickly, or apparently in danger, this essential rite was administered in private. The Scottish ministers, who considered it as a sign or seal of the admission of a member within the pale of the visible church, allowed it only to be administered in presence of the church, and forbade it in private, on account of the abuse to which it was liable. The imposition of hands after baptism, seems to have been an early, if not a primitive practice, but the bishops of succeeding ages raised it to the rank of a sacrament, under the name of Confirmation. The Scottish church, who only saw in it the unauthorized addition of a new sacrament, rejected as useless, a ceremony, the necessity of which it requires some consideration to perceive, and they objected to the bishop's prayer and blessing, as the introduction of the supernumerary in disguise. The festivals of the church of Rome, commemorative of the varied events of the life of Christ, or instituted in honour of the apostles and saints, had

been solemnly abjured by the Scottish nation ; but a number of them had been retained in the English service-book, and James wished at first to try how the Scots would relish the adoption of a few of the most important. Christmas, Good Friday, Easter, Ascension, and Pentecost were selected. The assembly objected, that the day of Christ's birth was uncertain, that Christmas was a revival of the Roman Saturnalia, that Easter had been disputed in the earlier ages, and that the king himself had declared, "that for Pasch and Yule there was no institution." But the articles were not allowed to be openly discussed, they were submitted to the consideration of a private committee, composed so as to ensure a decided majority for the court. When their report was brought before the assembly, all opposition was quashed by the insidious manner in which the question was put. Without reference to the merits of the case, the members were asked, Whether will you consent to the articles, or disobey the king? Nor were they allowed any discriminating power; they were explicitly told, whoever opposed any one of the articles, would be held as opposing the whole, and before the vote was taken, Spotswood, to intimidate them, mentioned, that the name of every one who opposed, should be presented to his majesty. The articles were carried by a considerable majority, but a minority of forty-five, whom no promises could allure, and no threatening could terrify, saved the Scottish church from absolute degradation.

When the assembly rose, the bishops prepared to enforce the observance of the obnoxious rites.\* In a few weeks they

\* Furious zealots, either in religion or politics, are commonly among the first apostates when motives of interest are held out, and it is notorious that such renegadoes are always the most violent persecutors. A ludicrous instance is related by Calderwood of William Struthers, one of the ministers of Edinburgh. "At a certain time being in Glasgow, when he saw Spotswood, then [arch]bishop of Glasgow, afar off, he went into a booth, and fell in a swerf. [swoon.] After they had given him aquavitsæ, and he had recovered, they asked what accident had befallen him? He answered, saw ye not the character of the beast coming?" On the promulgation of the articles of Perth, he was one of the most strenuous in imposing them, and one of the most fawning on those in power, and was himself made a bishop!

were ratified by the privy council, and proclaimed at the cross of Edinburgh. Respect for the festivals was inculcated under the severest penalties, and the same wise and religious monarch, who recommended pastimes and revelry on the Lord's day, commanded a cessation and abstinence from all kinds of labour and handy work on the five arbitrary holy days, and denounced "all who should do in the contrair," as seditious, factious, disturbers of the peace, liable to be punished in their persons and goods with all rigour and extremity. But acts and proclamations become futile when opposed to the universal sense of a people, and the articles of Perth had no greater recommendation. By the zealous and the sincere they were viewed with abhorrence, and moderate men were disgusted with the manner in which the bishops forced upon the nation, things which they themselves contended for as indifferent, and which some of the most forward in now pressing had, not many months before, been the loudest to condemn. The minority, who had supported the honour of the church in the assembly, did not quietly submit to what they considered an illegal stretch of power. They disclaimed the authority of the Perth assembly, as unlawfully constituted, and its proceedings as irregular, where freedom of debate had not been allowed, and in which the sentiments of the majority had not been fairly expressed. The articles were keenly scrutinized, and while the ministers declaimed against them from the pulpit and the press, as at variance with the principles of the reformation, and inconsistent with the Scriptures, the laity viewed them with disgust, as a servile imitation of the English ritual, humiliating to the national dignity.

In the month of November, an unusually bright comet made its appearance for several nights together, which amazed the nation, as the forerunner of some terrible calamity; but the historians of the day are uncertain whether it portended the death of James' queen, Anne, or the troubles in Germany, both of which events followed soon after. The character of the queen is described as amorous, bold, intriguing, immersed in politics, and possessed of little reverence

for her husband's spirit, or talents for government ; \* but her influence over the king was inferior to that of Buckingham, with whom she was under the necessity of coalescing to dupe James, and her court was debased by that low, coarse buffoonery which she had adopted to please his taste, and gain her ends. Yet her letters show her to have been a woman of discernment, and warrant the conclusion, that her faults were rather the effects of her situation than of her natural disposition.

The marriage of the elector Palatine with the princess Elizabeth occasioned the ruin of the prince. The states of Bohemia had revolted from the house of Austria, and taken arms in defence of their liberty and religion, and claimed from the emperor Ferdinand, that all the edicts enacted in favour of the Protestant religion should be observed, and that the ancient laws and free constitutions of the country should be restored. Ferdinand armed for the recovery of his authority, and, besides his own subjects, formed a powerful alliance with all the Catholic princes of the empire—with the king of Poland, and particularly with his own relation, the king of Spain, who furnished large supplies of veterans from Italy and the Netherlands, together with vast sums of money, to crush the spirit of freedom, ere its breath should infect the neighbouring states. The Bohemians, alarmed at the powerful combination, sought the assistance of the evangelical union in Germany—all of whom, except the duke of Saxony, acceded to the league—and invited Frederick, son-in-law to the king of Britain, and nephew of Maurice, who ruled Holland, to accept their crown, which they considered as elective. Without consulting either of his relations, Frederick accepted the offer, and marched his forces to assert his right. He was supported by two thousand, four hundred English volunteers, who were rather not forbidden than frankly permitted to embark for the continent.

James, whose ideas of the divine rights of kings were so exalted, that he concluded subjects must ever be in the wrong† when they stood in opposition to those who inherited

\* Laing, vol. iii. p. 87.

† Hume, vol. vi. p. 101.



or acquired this high title, from the very first regarded the proceedings of the Bohemians as a revolt against their legitimate sovereign, and not only refused assistance, but forbade the object of their choice, his own son-in-law, to be prayed for under the title of king. The English entered keenly into the dispute, and considering their honour as implicated in the fate of the daughter of their monarch, and their religion in that of Bohemia, would, at the first rumour, have flown to the assistance of their Protestant brethren; but when accounts were received of the unfortunate battle of Prague, which blasted all the hopes of the Palatine, and laid his country at the feet of the conqueror, their murmurs and complaints were vehement and loud against what their generous feelings viewed as a cold-hearted, pusillanimous neutrality.

James, who had allowed the time, when he might have interposed with effect, to pass away, after his only daughter and her family were fugitives and exiles, had recourse to negotiations and arguments to procure the restoration of her husband's dominions, and exhausted his funds in fruitless embassies, as expensive as military expeditions. His necessities urged him to apply to his English parliament; but their subsidies, though liberal, were not adequate to supply his profusion, and he was advised to summon the estates of Scotland. James had found the last so troublesome, that he was extremely averse to this project, and it was not till after repeated attempts to introduce benevolences, or the raising money by voluntary loans, had failed, that he despatched the marquis of Hamilton as his commissioner to hold a parliament. Hamilton was well qualified for the task allotted, and he entered upon it with alacrity. Before he reached Edinburgh he began to tamper with the lords who came to meet him by the way, and, taking them unawares and unprepared for business, gained their promise to support the king, ere ever they understood the extent of the measures he meant to propose. He then arranged his mode of proceeding with the archbishop of St. Andrews, the dean of Winchester, and the principal officers of state, and when the plan was fixed, made a show of consulting the nobility. During the inter-

mediate days, he continued "his dealing with particular men of every estate, and specially the noblemen whose favour he pressed to conciliate, by hearty conversation and feasting," \* With the ministers he pursued another course. A number had assembled in Edinburgh to watch the proceedings of parliament, and petition against the articles of Perth; the petition was suppressed, and the petitioners imprisoned. But some having assembled with the commissioners for the shires and burghs in unofficial meetings, where the questions to come before parliament were the subjects of conversation, the council, afraid of their influence and arguments, issued an arbitrary order for the whole instantly to quit Edinburgh under pain of horning. They did so, but left a protestation, which was afterward affixed to the Cross.

The parliament sat down, or, in Scottish phrase, the riding of the estates, took place on the 25th July. The business was opened by the marquis of Hamilton in a long speech, filled with very fulsome praises of the piety, wisdom, and love of the king for his subjects, and very false assertions respecting his motives and conduct. His pecuniary embarrassments, which notoriously arose from his waste and mismanagement, were represented as the effects of his constant disbursements to support his son-in-law, and prevent his utter overthrow, till he, by mediation and treaty, should procure restitution of his patrimony, "in which the expense of his ambassadors, ordinary and extraordinary, was such as were not communicable to the vulgar sort;" and he asserted, that his majesty, influenced solely by his care for the Protestant religion, had married his daughter to the elector Palatine, in preference to accepting the offers of powerful Catholic princes, who would have bribed him with infinite treasures to have granted them the honour of his royal alliance. He therefore exhorted them to increase the quantity of their wonted contributions, assuring them, in his majesty's name, if they should behave themselves worthily, his majesty would not hereafter trouble them with any more demands for monies. In enforcing their ratification of the articles of Perth, he de-

\* Earl of Melrose to K. James. Hailes' Mem. vol. i. p. 28, 102.

clared, if they would obey and confirm the acts already made, the king would never propose any future alteration. The chancellor followed in a similar strain; after which, the lords of the articles were chosen, "with such dexterity," says secretary Melrose in a letter to the king, "that no man was elected—one only excepted\*—but those who, by a private roll, were selected as best affected for your majesty's service."† This dexterity consisted in a flagrant invasion of the rights of parliament by the king's commissioner, who introduced a new method of choosing this body, which gave the king a complete command of their election. Formerly the temporal lords nominated eight of the spiritual, the spiritual eight of the temporal, and the commons, from their own numbers, eight commissioners for the shires, and eight for the burghs. On this occasion the prelates chose eight noblemen, who, in return, chose eight prelates, and these sixteen selected the requisite number of barons and burgesses from the third estate. A subsidy, equal to the largest ever granted, was voted, but not without very considerable opposition to the manner in which it was to be raised. To a general land tax there was little objection; but an imposition of five per cent on annual income was vigorously opposed by the third estate, the lesser barons and the burgesses, who objected to the inquisitorial nature of the tax, and the mischief which would arise to many, a disclosure of whose circumstances might shake their credit, and occasion their ruin;‡ and so averse were numbers of the noblemen and barons to this plan, that the commissioner resorted to what would now be consid

\* Sir John Hamilton, baron of Preston, seems the obnoxious person here pointed out. He made a firm stand against the articles of Perth, in the private meeting of the lords of the articles, and resisted every solicitation of his chief, the marquis, and secretary Hamilton, to vote for them in public. When reminded of his duty to his majesty, he replied:—"He would not offend God willingly, nor make to himself a hell in his own conscience, for the pleasure of any man." He was then requested to absent himself, if he would not vote as desired; but he persisted in his resolution to defend and support the cause of truth.

† Hailes' Memorials, vol. i. p. 94.

‡ Melrose's Letter to K. James. Hailes' Mem. vol. i. p. 99-100.

ered the extreme of despotism; he forbade their assembling together to consult, or reason upon the business before parliament previously to giving their vote, and with the assistance of his friends, laboured night and day to sow discord, and prevent them from acting in unison. To effect this he used still more infamous means. He employed spies to insinuate themselves into the company of the noblemen and commissioners for the shires and burghs, who pretended a dislike to the proceedings of the bishops, and approved of all they heard from those who were sincere in their aversion to the innovations, and at night they returned with their report to their employer, who thus knew the dispositions of his opponents, and was prepared to meet them.\* He intended to have had recourse to severity, but the dissatisfaction was so general, that it was necessary to employ more mild means, which in the end proved successful. The amount of the supply, which was understood to be four hundred thousand pound Scots, equivalent to about thirty-three thousand pounds Sterling, was not specified, in order to spare the pride of the country, whose poverty it would have exposed.

The articles of Perth were brought forward last. They had not passed the lords of the articles unanimously, and they encountered considerable resistance in the estates, all the efforts of the officers of the crown having been only able to procure a majority of twenty-seven in their favour. On the last day of the parliament, the inhabitants of Edinburgh testified their disapprobation by remaining within their houses, and allowing the procession to ride from the palace to the tol-booth in sullen state, amid the silence of a very few spectators. At the very instant when the king's commissioner, rising from the throne, had stretched forth the sceptre to ratify the acts, a black thunder cloud burst over the house; the lightnings shed a momentary gleam through the darkness in which the apartment was involved, and three tremendous peals almost instantly followed. The thunder was succeeded by a shower of rain, mingled with hail, which swelled the rivulets to brooks, and kept the members confined for upwards of an hour and a half,

\* Calderwood, p. 776.

and prevented the rising of the parliament from being announced, by the carrying of the honours, or the riding of the estates. This storm some of the more zealous represented as expressive of God's displeasure at the perjury of those who ratified the articles of Perth. The Prelatic party likened it to the thundering at Mount Sinai, at the promulgation of the law. The common people called it the black Saturday. The same omen accompanied the proclamation of the acts on Monday at the cross of Edinburgh; but a protestation against all the encroachments made upon the liberty and privileges of the church since the reformation, which was affixed; with the usual solemnities, by doctor Barclay, in name of his brethren, upon the Cross, the kirk door, and the palace gate, was a portent of less doubtful interpretation, and to which it had been well that the men in power had attended, knowing—as they must have done—the state of the public mind.

The bishops, who seemed now to think they had obtained every thing when they got an act of parliament in favour of their rites, determined to exert the power conferred on them by the high commission, and enforce uniformity. A violent persecution was immediately commenced. While the articles of Perth remained unratified, their proceedings had been both vexatious and harsh; but now, armed with legal weapons, they suspended and imprisoned, or banished to the most rugged and distant parts of the country, the ministers who did not immediately and readily comply. The king, to whom these laws were peculiarly agreeable, wrote to the prelates in high spirits on the occasion. "The greatest matter," said he exultingly, "the puritans had to object against the church government was, that your proceedings were warranted by no law, which now, by this parliament, is cutted short. So that, hereafter, that rebellious, disobedient, and seditious crew, must either obey, or resist God, their natural king, and the law of the country. It resteth, therefore, to you to be encouraged and comforted by this happy occasion, and to lose no more time in procuring a settled obedience to God, and to us, by the good endeavours of our commissioner, and our other true hearted subjects and servants. The sword is put into your hands, go on, therefore, to use it, and let it rest no

longer." "Papistry," he said, "he had given orders to suppress; but it was only a disease of the mind, Puritanisme was the more dangerous one of the brain." In conclusion, he urges his not unwilling satellites to go forward in the action with all speed, wishing them stout hearts and happy success.\* This letter was followed by one to the council, commanding all the officers of state to conform, under pain of being deprived of their offices. Any advocate or clerk refusing was to be suspended from the exercise of his office, and no person was to be appointed sheriff of a county, or chosen magistrate of a burgh, who had not given obedience. Necessity, or interest, insured compliance with the royal will from the council, the lawyers, and hangers on about court. The burgesses were more unbending; they deserted the churches where kneeling was practised, and flocked to others where the old form of sitting was still retained; and it was not till almost all the magistrates of the burghs had been changed, according to the court lists, that the semblance of uniformity could be obtained.

The ecclesiastical persecutions were unrelentingly continued, notwithstanding the land was suffering under the severe calamities occasioned by an inclement season. Incessant rains prevented the corn from ripening; the harvest was late, and when even at this day, with our improved mode of agriculture, a late harvest is ruinous in the hill country, we may judge of the misery such an occurrence then would occasion. The late harvest was succeeded by winter floods, which, in many places of the country, swept away the farm houses, with their owners, cattle, and corn. The town of Perth was surrounded with water, by the swelling of the Tay on the one side, the Almond on the other, and for seven days the only communication, even between house and house, was by water; and on the 4th of October, ten of the arches of a fine bridge, only newly finished, were carried away. The Tweed, too, rose to an uncommon height. A new union bridge was destroyed by the violence of the stream. The king, who liked any thing that had the appearance of joining the two kingdoms more closely together, had sent down a posie to be inscribed on the

keystone :—*Hoc uno ponte duo regna conjuncti ; Deus diu conjuncta servet.* I have joined two kingdoms by the one bridge ; may God long preserve them united. The magistrates, who wished to do all reverence to his majesty's inscription, delayed putting in the keystone till the king's skole \* were drunk at that part of the bridge, and the Lord's day was appointed for the grand fete ; but the speated Tweed came down heavy two days before, and the bridge being insecure, part of its shattered pillars only was left to mark where the junction was intended. The storms were succeeded by a threatened famine, by which numbers of respectable individuals were reduced to a state of the utmost indigence, and wandering beggars increased to an intolerable degree.

While the king was urging the bishops to rigour, he displayed his own merciless disposition in the end of this year, in his treatment of two distinguished sufferers, John Welsh, and Robert Bruce. Welsh, after fourteen years' banishment in France, had lost his health, and his native air was recommended as the only means left, which gave any chance of recovery.† By great interest, he was permitted to come to

\* A drinking bout on receiving a gift, or in honour of any person, or on the completion of any great undertaking.

† Mrs. Welsh, by means of some of her mother's relations at court, obtained access to James, and petitioned him to grant this liberty to her husband. The following singular conversation took place on that occasion. His majesty asked her who was her father, she replied, "Mr. Knox." "Knox and Welsh," exclaimed he, "the devil never made such a match as that." "It's right like, Sir," said she, "for we never spiered [asked] his advice." He asked her how many children her father had left, and if they were lads or lasses. She said three, and they were all lasses. "God be thanked !" cried the king, lifting up both his hands, "for an they had been three lads, I had never bruiked, [possessed] my three kingdoms in peace." She again urged her request, that he would give her husband his native air. "Give him his native air ! Give him the devil," replied the king. "Give that to your hungry courtiers," said she, offended at his profaneness. He told her at last, that if she would persuade her husband to submit to the bishops, he would allow him to return to Scotland. Mrs. Welsh, lifting up her apron, and holding it towards the king, replied, in the true spirit of her father, "Please your majesty, I'd rather kep his head there." \* M'Crie's Life of Knox, vol. ii. p. 274.

\* I would rather receive his head there, when severed from his body by the executioner.

London, but no entreaty would induce James to allow him to visit Scotland, unless he complied with what in his conscience he believed to be wrong. He languished a short time, and expired in the English capital. Bruce had been long confined to Inverness. He had petitioned repeatedly for leave to come to Edinburgh, to settle some private business of great importance, and when he could not obtain it, he came secretly. On being discovered, he was first warded in Edinburgh castle, but afterward, as a favour, was confined to his own house of Kinnaird, for some months, but numbers resorted to his dwelling, when the bishops, who felt that they were despised, chagrined at seeing another honoured, wrote to the king, who immediately sent Mr. Bruce an order to return to Inverness. Considerable intercession was made to obtain leave for him to remain only till the weather should become milder, but this small indulgence could not be given. The refusal was conveyed in a taunt, "We will have no more Popish pilgrimages to Kinnaird:" and the man to whom James acknowledged he owed more than he could ever pay, was, without a crime, sent in his old age, to a distant imprisonment in a barbarous district.

James, who averred that he had rejected the alliance of many powerful Popish princes for his daughter, from attachment to the Protestant cause, discovered very different sentiments respecting the marriage of his son. Dezzled by the splendour and wealth of the Spanish monarchy, he eagerly courted an alliance, and solicited the hand of one of the royal family, for the heir apparent of the British crown. This match, so hateful to both nations, was retarded by the difficulties which arose from the difference of religion between the parties, and the necessity of obtaining a dispensation from the pope, before it could be celebrated. During the protracted negotiations, James, in order to smoothe the way as much as possible, directed, that all the Popish priests and recusants who were imprisoned, should be set at liberty, and the lord keeper, in his letter to the judges, informed them, that it was his majesty's pleasure, that they, upon receipt of his writ, "make no niceness or difficulty in extending his princely favour to all such Papists as they should find imprisoned in the



jails of their circuits, for any recusancie whatsoever, or for having or dispersing Popish books, or hearing Mass, or for any misdemeanour which concerned religion only, and not a matter of state." The whole Scottish nation were filled with apprehension at this proceeding of the king, and their forebodings were rendered still more distressing, by his having apostatized from some doctrinal points, held by the Reformed churches both of England and Scotland, and embraced the opinions of Arminius, which the synod of Dort had condemned.

The doctrines of predestination and free will are irreconcilable by any process of human reasoning, yet we know that we are free agents, and dare not deny that God foresaw all the consequences of man's creation, and that he has complete control over them, without denying his attributes of omniscience and omnipresence; but in pursuing these subjects, we find that they involve an inquiry into the origin of moral evil, and its introduction into the fair creation of God, an object of investigation to which our limited powers are not adequate. The Reformers, therefore, in whose creed the depravity of human nature formed an essential article, feeling that they were free agents, even when complying with this original bias, but believing at the same time, that no one event in their lives happened without the foreknowledge of him who is acquainted with all our thoughts, while yet afar off, or in opposition to his power, without whose permission, a sparrow cannot fall to the ground, preached the doctrines of distinguishing grace, and particular election, but some, by the inaccurate manner in which they enunciated their propositions, taught the doctrine of reprobation, or the fore-choosing of the majority of mankind to eternal destruction. Arminius, startled at a conclusion which he thought made God delight in the destruction of his creatures, denied the doctrine of absolute predestination, and maintained, that a state of reward or punishment was pre-ordained for those whose voluntary conduct merited the one, or deserved the other, but whose actions, although foreseen and permitted, had not been pre-determined by any absolute decree. The guilt of original sin was either palliated or denied, and the eternal duration of punishment was repre-

sented as inconsistent with the universal benevolence of the Deity.

These opinions, considered by both the churches of the two kingdoms as heretical, were imbibed by the king, and as he considered the royal creed the standard of belief for the nation, forgetting that by himself they had once been strenuously opposed, forbade them now to be preached against; and in a letter to the bishops of England, commanded the preachers and lecturers on Sundays and holydays, in the afternoons to teach only the catechism, or take some text out of the creed, the Ten Commandments, or the Lord's Prayer, and to abstain in their sermons, from treating of the deep points of predestination, election, reprobation, the universality, resistibility, or irresistibility of grace. It was in vain that the king and the bishops mocked the people, by asserting that this mandate was intended to prevent divisions, while its evident tendency was to stir up new and unnecessary dissensions in churches, already too much distracted. The prelates, whose teaching was moulded after the fashion of the court, adopting without hesitation the tenets of Arminius, and the ministers, who viewed with suspicion whatever passed through the royal crucible, adhering to their old confession of faith, the new opposition in doctrine between the two parties, became no less irreconcilable than the still unsettled dispute respecting rites and ceremonies.

The pretext for releasing the Papists, was like all the subterfuges of James, both futile and false. It was pretended that he was treating with the French king, for peace to the Protestants in France, and with the king of Spain, about withdrawing his troops from the Palatinate, and that his tenderness for brethren of the same faith abroad, and his desire to procure an alleviation of their sufferings, prevented him from dealing harshly with the Roman Catholics in Britain. But his charity for the Protestants was of that questionable kind, which is so very benevolent to aliens and foreigners, that there remains nothing for home consumption. The non-conforming ministers in Scotland, shared in none of the indulgences granted to the Papists; they continued to be imprisoned, fined, and in some instances persecuted, to all ap-

pearance, merely from a love of persecution. George Johnston, minister of Ancrum, in the seventy-third year of his age, upwards of fifty of which he had spent in the ministry, was summoned before the high commission court at Edinburgh, for not complying with the articles of Perth, and threatened with horning, in case of non-appearance. The excuse he sent in was simple and pathetic. "If my age of seventy-three years, and my infirmities, a swelling in both my legs, a constant fever after travelling in the open air, with the other miseries attendant on old age, which I submit to your lordships' consideration; having, moreover, passed a jubilee of years in the ministry, without depravation or suspension, may not hold me excused from coming to Edinburgh, with manifest hazard of my health and life, if these reasons, I say, cannot serve your lordships, I take me to God's mercy, not being sensible of any crime." He was, notwithstanding, deprived, and banished to Annandale.

Such contradictory proceedings, naturally gave rise to murmurs among the people, which became at length sufficiently strong to reach the royal ear. James, in an imperious style, directed the privy council of Scotland, to put upon their trial, any person who had had the presumption to call his conduct in question, and punish them with the utmost severity. But scarcely had they received this injunction, when the news of the prince's journey, [to Spain,] says Spotswood, "made all good men amazed," and silenced for a while, the strong assertions which had been so unblushingly repeated, respecting the pious aversion his majesty entertained for any connexion with the Papists. The king himself seems to have been aware of the effect the intelligence would produce in Scotland, for he instantly ordered a letter to be despatched by post, endorsed "For life," commanding the chancellor to suppress, with the utmost diligence, every report that might reach Scotland, but the post was detained by some accident on the road, and the news arriving by sea before the instructions came to hand, were spread over the whole country, before any steps could be taken to stop it.

The return of prince Charles from Spain, and the breaking up of the matrimonial treaty, gave great joy to the nation.

But it appeared to give fresh vigour to the proceedings of the prelates, against the refractory lieges who would not yield to them implicit obedience.

The Edinburgh churches had a practice of perhaps doubtful utility. Some days before the communion, the council, session, and citizens met in the church, and the ministers withdrawing, the congregation were asked thrice, if they had any thing to object to their doctrine or conversation. If any objections were made, the accused minister was then called in, and being informed of the charges, was desired to offer what he had to say in vindication, and if nothing was stated, his exemplary conduct, and edifying teaching were gratefully acknowledged. In the month of March, 1624, at a meeting of this kind, Mr. Forbes, one of the ministers, was accused of saying that a coalition might be easily effected with the Papists, on many of the controverted points, particularly that of justification, which some of his hearers affirmed was in opposition to what they had ever been taught; for their former preachers had ever affirmed that there could be no agreement, more than between light and darkness, but when called upon to explain or vindicate his assertions, he said he would not deign to come among them, and retired home in a passion. The citizens then requested the advice of the other ministers how to proceed, but they made common cause with Forbes, and told them they had no power to judge of their doctrine. The Bereans tried Paul's doctrine, cried some one in the meeting, but no answer was returned. Kneeling at the sacrament was then introduced, and the ministers were entreated to restore the old fashion, but they objecting to the regularity of the meeting, it was broken up, and never again was any similar one convened.

Had the affair rested thus, there might have, perhaps, been little to condemn in the conduct of the ministers, but, determined upon vengeance, they incensed the king by their representations, and procured instructions to be sent to the privy council, for a select few of their body to examine and bring to trial six of the principal citizens, for their behaviour upon that occasion. William Rigg, one of the bailties, was among the number of those summoned. At his appear-

ance, he defended the meeting, as convened according to a laudable custom, which had been observed by the church in Edinburgh ever since the Reformation, which was thought needful, and found profitable, in removing, before they partook of the holy communion, any misunderstanding which might have arisen among the ministers, or among the people, or between the ministers and the people, for this cause they were publicly invited by the ministers themselves, to resort to the east kirk; he justified their conduct from the command of the apostle, not to believe every spirit, but to try the spirits whether they be of God; and contended for its necessity, on account of the strange doctrines lately delivered from the pulpit, so unlike what they had been accustomed to hear. The others returned similar answers, and as there was no existing law against an authorized custom, the council would willingly have allowed the citizens to depart without farther trouble, but the archbishop of St. Andrews suggested to the chancellor, some interrogatories respecting their having desired the ministers to restore to them the old mode of administering the sacrament. They all confessed they had; only Rigg, who really had not said any thing upon the subject at the meeting, confused by the teasing examination, acknowledged that it was his sentiment, and he believed he did say so to the minister, but afterward, upon better recollection, he desired to amend his answers, and be allowed to prove that he had not spoken about the communion, but this was refused, and the minutes of the proceedings sent to the king for his inspection. The king, without delay, ordered the counsellors who had presided at the examination, to deprive William Rigg of his office, fine him in fifty thousand pounds, imprison him in Blackness castle till the fine was paid, and afterward banish him to Caithness. Three of the others were ordered to be sent to Edinburgh jail, during the royal pleasure, and the remaining two to be confined in Elgin and Aberdeen. The committee of the privy council, averse to this severity, referred it to the judgment of the whole, who mitigated the sentence against Mr. Rigg, and only ordered him to remain at home, till they should hear again from his majesty. His majesty was inexorable, and they were sent into ward; only

it would appear that the privy council, who began to be jealous of the usurpations the prelates were making upon their jurisdiction, had evaded levying the fine on Rigg, the greater part of which would have found its way into the pockets of the bishops.\* The two, ordered to distant imprisonment, found the council willing to hear their pleas for delay, till the death of the king freed them from farther trouble.

The severities inflicted by the bishops, not only disgusted the people with their order, their ceremonies and their communion, but endeared to them the cause for which they were suffering, and their pastors, who they believed, were persecuted for conscience' sake. The ministers who were deprived, refused to submit to the sentence of the high commission for silencing them, as they considered the court illegal, and its proceedings unjust, continued to exercise their calling, and preached in private houses to numerous congregations, while the conforming clergy thundered out their anathemas against schism and rebellion, or poured forth the praises of peace and passive obedience, to the men in office, the paupers of the parish, or empty benches. This was not to be borne; but the proclamation which forbade meeting in private houses, for preaching, exhortation, or such religious exercises, discovered at once the enmity of the prelates, and the extent of the practice. "We have of late known," says his majesty, "to our unspeakable grief, that a number of our subjects, misled by the turbulent persuasions of restless ministers, either deprived of their functions, or confined for just causes, or affecting hypocritically the glory of purity and zeal above others, have casten off the obedience they owe to our royal authority, and to their pastors, abstained to hear the word preached, or the sacraments ministered in their own parishes; and in the end, numbers of them have assembled in private houses in Edinburgh and other places, to hear from intruding ministers, preachings, exhortations, prayers, and all sorts of exercises at the very ordinary hours," "when their own pastors were preaching in their parish kirks." Immediately after, another was issued, commanding all the in-

\* Calderwood, p. 806-10. Spotswood, p. 545. Hailes' Memorials, vol. i. p. 147-151.

habitants who were of age, to be present at the celebration of the sacrament of the Lord's Supper on Christmas, and to communicate kneeling, threatening the removal of the courts of justice, in case of noncompliance. The king expected by this menace, to produce conformity in the capital, and if Edinburgh once yielded, the rest of the country would follow the example. Such, however, was the spirit of the people, that a majority of the burgesses declared, that rather than comply, they would see the town in ashes; but while the preparations were making for carrying this purpose into effect, the plague broke out, and the principal inhabitants flying from the town, their resolution was not put to the test. The observance was suspended till Easter, but before Easter arrived, James was in that land where "the wicked cease from troubling."

The marquis of Hamilton died early in the year 1625. When his death was reported to James he was exceedingly affected; and feeling, perhaps, some symptoms of decay, he is reported to have said:—"If the branches be thus cut down, the stock cannot continue long." His saying proved prophetic. In his later years he had become attached to the pleasures of the table, and indulged too freely in potent libations of sweet and spiced wines. He became, in consequence, gross in his habit; but the disease that carried him off was a tertian ague, which seized him in the month of March. During his illness he was miserably attended by the wretches who had flattered him so profusely while in health; even medical assistance does not appear to have been regularly afforded, and some empirical prescriptions, which in his impatience of confinement he had caused to be administered to him, operating unfavourably, accelerated his end. His death was attributed to poison, rather, perhaps, because Buckingham was believed capable of any atrocity, than that there were any real grounds for the suspicion.\* He expired on the 23d, in the fifty-ninth year of his age, having reigned twenty-two years and some

\* Egelsam, one of the king's physicians, wrote a pamphlet to show that the king was actually poisoned.—Guthrie, vol. ix. p. 137. And Buckingham was afterward questioned in the house of commons, not directly about poisoning the king, but for applying remedies without the advice of the physicians.

days over England, and been the crowned king of Scotland almost from his cradle. His reign was disturbed by no foreign warfare; but almost the whole of it, after he assumed the direction, was employed in sowing the seeds of internal commotion. Unfortunately the factions of his native kingdom raised him prematurely to the throne, and his first favourites, who were dissolute and unprincipled, flattered his failings, which it would have required the most rigid discipline to correct. From them he most probably derived that complete and unblushing disregard for common truth and common honesty, which characterized almost all his measures whether public or private. It is certain with them he learned the absurd and abominable accomplishments of profane swearing and lascivious conversation, which banished decent manners from his court. His first acts displayed his ingratitude to his best friends, and his fond attachment to a handsome person and polished exterior was more ardent and lasting than was seemly for manhood to show to boys. He was profuse, but not liberal; crafty, but not wise; mean, selfish, and vindictive. Though facile in granting pardons to traitors who endangered the state, it would be difficult to point out one instance of his having forgiven a personal offence; and though lavish of his honours, it would not be easy to find many virtuous men on whom they were bestowed. He could speak of the advantages of trade, and of the civilizing of his barbarous subjects; but he did nothing for his native country; and let not the spirit of the English, and their growing prosperity, be imputed as virtues to him, who neither liked the one, or promoted the other. He was intolerant, dissembling, vain, and accessible to the grossest flattery. His learning was pedantic, and his religion, but for the mischief his polemics occasioned, might have been safely pronounced a farce. His manners were coarse; his familiarity low and undignified.\* In his person "he was of

\* Buckingham begins all his letters to his sovereign, "Dear Dad and Gossip," and proceeds in such strains as follow, after apologizing for *four* unanswered letters:—"For so great a king to descend so low as to his humblest slave and servant, to communicate himself in a style of such good fellowship, with expressions of more care than servants have of masters, than physicians have of their patients—which hath largely appeared to me in sickness



a middling stature, more corpulent through his clothes than in his body, yet fat enough; his clothes ever being made large and easy, the doublets quilted for stiletto proof; \* his breeches in great plaits, and full stuffed. He was naturally of a timorous disposition, which was the greatest reason of his quilted doublets. His eyes large, ever rolling after any stranger who came in his presence, insomuch as many for shame have left the room, as being out of countenance. His beard was very thin. His tongue too large for his mouth, which ever made him speak full in the mouth, and made him drink very uncomely, as if eating his drink, which came out into the cup on each side of his mouth. His skin was as soft as taffata sarsnet, which felt so because he never washed his hands, only rubbed his finger ends with the wet end of a napkin slightly. His legs were very weak, having had, as was thought, some foul play in his youth, or rather before he was born; that he was not able to stand at seven years of age; that weakness made him ever leaning on other men's shoulders. His walk was ever circular."† Few kings have lived less respected, or died more generally unlamented.

#### CHARLES I.

IMMEDIATELY on the death of his father, Charles despatched a messenger to the privy council in Scotland, intimating to them that all the officers of state and magistrates were to retain their situations till his will should be farther known. A general mourning for the late king was at the same time ordered, and the chapel and palace of Holyroodhouse were hung with black. On the last day of March he was proclaimed at the Cross of Edinburgh with the usual solemnities, and next day the chief ministers of the crown set off for London, to assist at the funeral of the late, and offer their congratula-

and in health—of more tenderness than fathers have of children, of more friendship than between equals, of more affection than between lovers of the best kind, man and wife, what can I return!"—Hailes' Mem. vol. i. p. 129.

\* He was terrified for the Catholics, who, he used to say, were expert king-killers. It has been remarked, that he favoured them from the same principle that Indians worship the devil.

† Balfour's MSS. quoted by Guthrie, vol. ix. p. 142.

tions on his accession to the new king. During their absence a number of depredations were committed in the western seas by the restless, piratical Islanders; but Archibald, lord Lorn, having raised two thousand men to guard the country, while two ships of war, under the baron of Kilsyth, scoured the seas, they appear to have been speedily and effectually suppressed.

The first twelve years after Charles came to the crown, so important in England, were distinguished by few remarkable events in the internal state of Scotland; but unfortunately these few were not such as to allay the ferment, or sooth the discontents of the late reign. The first acts of a young monarch generally stamp a character upon his government, which it is apt to retain, and if not absolutely noxious, are always viewed in the most advantageous light; but Charles was unhappy in having excited the suspicions of the people, before he came to the throne, by his romantic expedition to Spain, and he corroborated them by his marriage with a princess of France, the lovely and accomplished Henrietta Maria, whose religion was in part the cause of her husband's misfortunes, and those of their posterity; nor was he discreet in at once avowing the extent to which he carried the obnoxious doctrines of his father, respecting ecclesiastical conformity, and the king's supremacy in the church. In England he was unpopular from the first; but some indistinct accounts of his piety and moderation had reached Scotland, which induced the dissenters from the articles of Perth to imagine that they would find him more propitious than his father, and they deputed Mr. Robert Scott, minister at Glasgow, to present their supplications for redress. The answer was unfavourable; they found the king resolved to maintain the church government his father had established. Instead of affording relief, Charles wrote to the primate to proceed in the good cause in which his father had put him, and take care that all the bishops did the same; and lest any doubt might remain upon the subject, a proclamation was published, ordering all persons to be punished according to law who dared to disturb his majesty's government by circulating false reports, and endeavouring to persuade the lieges that he intended to make some alterations in

the government of the church, of which he had not the most distant thought. This was followed by a peremptory order to the town council of Edinburgh, to elect only such magistrates as paid obedience to the articles of Perth.

When Charles avowed the same principles, all the accumulated grievances of his predecessor's misgovernment, which in any case would have pressed heavy on him, became identified with his own mistakes, and the stubborn spirit of rising independence, and jealous watchfulness, in the English house of commons, which had disturbed the last years of the father, very soon interrupted the tranquillity of the son. He became involved in disputes with them in the very first session of his first parliament, and their protracted contentions prevented him for a time from urging his affairs in Scotland to an extremity; but the revocation of unappropriated tithes and benefices was one of those impolitic acts which fanned the embers of discontent, and extended the flame beyond the limits to which repugnance to ecclesiastical uniformity *alone* would, perhaps, have carried it.

All transactions which took place in Scotland during a minority were liable to review when the king came of age, and all grants of the crown lands might be legally resumed by the prerogative, even although they had been afterward sanctioned by parliament, as the royal domains were entailed upon the crown, and were unalienable by any king without the *previous* consent of parliament. James, from the peculiar circumstances in which he was placed, was constrained to make a very sparing use of this prerogative; but he had encouraged the prelates to hope that he would exert it in their favour. The commencement of a new reign was considered as a proper season for carrying the pious design of the deceased monarch into effect; and the earl of Nithsdale was sent down to hold a convention of the estates, and procure their consent to the resumption of all the tithes and church property which had reverted to the crown at the reformation, or which had been shared among the leading nobles during the two last reigns. But though the nobles in general had made little resistance to the re-introduction of ceremonies, they were not equally complying with regard to the resumption of church property, to

which, from the length of time they had possessed it, they considered they had an indisputable right. Every proposal was rejected, and a combination formed among the nobles to resort to the old Scottish method of opposition, in case the commissioner had pushed the question. Lord Belhaven, then aged and blind, promised to make sure of one, and was, by his own desire, placed next to the earl of Dumfries. With one hand he laid hold on the earl, as if to support himself, in the other he grasped a dirk, ready to plunge into his heart upon the least commotion. Nithsdale, having either heard of their meetings, or overawed by their appearance, and the temper they displayed, did not lay before the convention the most violent part of his instructions, and, without being able to obtain any satisfactory arrangement, returned to court; but the intended act was published, and the nobles, warned of the insecure tenure by which they held their acquisitions from the church, were thrown into a state of irritation, which prepared them to make one cause with the people in their opposition to the prelates, for whose aggrandizement they were called upon to make this sacrifice, and whose ambition already intruded them both into the council and courts of justice. An ecclesiastical convention followed, which drew up an application to the king for a legal and established provision to the ministers, and they anticipated the accomplishment of their desires in the recovery of the tithes.

Tithes, unknown in the New Testament, where no determinate establishment for the maintenance of the ministry is inculcated, and the support of the pastor depended on the gratuitous offerings of his flock, were early introduced, after primitive simplicity had given place to pontifical splendour. The practice was founded upon the institutions of the Jews, and the funds derived from them constituted a peculiar property in law, distinct from the lands out of which they were exacted. At the reformation, instead of being restored, as in justice they ought to have been, to the proprietors of the estates, when regular stipends formed, or were proposed to form, the provision for the ministers, they were seized upon by the crown, and bestowed upon the nobles, who levied them with the greatest rigour, and often with circumstances

of wanton oppression. By the law of Scotland the proprietors of the soil were prevented from removing the crop from the fields till the tenth part had been carried away by the titular; \* and this was frequently vexatiously delayed till the corn, which might have been safely housed, was damaged or destroyed. The lairds, or landholders, who suffered by this oppression, were inclined to coincide in any measure from which they expected relief, and joined the clergy in their applications to the king for the resumption, or more equitable distribution, of the tithes. It is not probable that the landholders would have found the prelates less rigorous exacters than the nobles, but, when writhing under present oppression, men are often induced to seek a change without very closely examining the consequences. As it was, the coalition of these two parties contributed additional strength to the crown, and a commission was issued for a number of noblemen and gentlemen to receive the surrender of impropriated tithes and benefices, with powers to regulate any dubious points connected with this important business. At the same time prosecutions were commenced against those who refused to accede to the proposals of the king. The nobles, after the result of a few trials had convinced them that individually they were unable to contend with the crown, reluctantly submitted to his dictation, and surrendered the tiends at a valuation affixed by the commission, they to draw the annual rents till they were redeemed by the crown. The landholders, however, also obtained the right of suing for a valuation or modus, and to purchase the tithes of their own estates, unless when they were appropriated to churchmen; but the right was rendered of little avail by their poverty, and they became dissatisfied by the tantalizing view of a privilege advantageous only in appearance.†

During the agitation of this delicate subject, it was naturally to have been expected, that the bishops would have anx-

\* So the proprietor of the tiends was called.

† Large Declaration, pp. 9, 10. Burnet's Hist. vol. i. pp. 23, 24. Memoirs of the Dukes of Hamilton, p. 30. Laing's Hist. vol. iii. pp. 102-5. Guthrie's Scot. vol. ix. pp. 149, 181. Cooke's Hist. of the Ch. of Scot. vol. ii. p. 385.

iously avoided stirring any new question, or increasing the general unfriendly feelings of the country, by any unnecessary show of Episcopal superiority; but Laud, archbishop of Canterbury, who now governed the church, and disposed of all preferments, had espoused the tenets of Arminius, and the young Scottish clergy, who looked up to him as their patron, adopted his creed, and inculcated doctrines which, by the whole orthodox part of the nation, were deemed noxious, and which the elder bishops considered it imprudent to agitate. Their zeal for doctrinal, was equalled by their ardour for introducing ceremonial, innovation, and they found their reward in being promoted to the vacant benefices, a majority of which were soon filled by rash, headstrong novices, unacquainted with the real state of the country, and without the recommendations of either piety or learning. Disdaining to mingle with the poor of their flocks, they aped a close association with the higher classes; but even with them, elated by the dignity of their Episcopal office, and by the partiality with which they were regarded by their sovereign, they assumed a loftiness of demeanour which filled with indignation men whose hereditary rank had been wont to command a superior degree of respect, and whose claims had been allowed by the first reformers, and their successors, who conscientiously paid to their civil stations that honour which was due.

In the north of Scotland, the feuds of the chieftains were accompanied with circumstances of atrocious revenge, and in open defiance of all law. One instance will serve to illustrate the state of anarchy in which the extremity of the kingdom was involved. An accidental quarrel occurred between the barons of Frendraught and Rothmay—both Gordons—in which unfortunately, Rothmay, an accomplished gentleman, fell, and several of the attendants on each side, were killed or wounded. No legal investigation took place, but the marquis of Huntly, and some mutual friends interfering, the widow consented to accept fifty thousand merks, as a composition for the slaughter, which the chieftain caused to be duly paid. Some time after, Frendraught, in some of his excursions, was accompanied by a Robert Crichton of Candlan, and James Lesly, son of Lesly of Pitcaple, when Lesly

was shot by Crichton in the arm. This Lesly's father resented so highly, that hearing Frendraught was on a visit to the marquis, he came, attended by thirty horse well armed, on purpose to wreak his vengeance on him. The marquis prudently, in the meanwhile, desired him to retire to his lady's apartment, and himself endeavoured to appease Lesly, but he departed unsatisfied, and the marquis detained Frendraught till next morning, when he sent him home, accompanied by his son, viscount Aboyne, and a guard, lest Lesly might be lying in ambush on the road. In Aboyne's train, was John Gordon, eldest son of the late Gordon of Rothmay. They arrived at Frendraught place in safety, and Aboyne would immediately have returned, but the baron would not hear of his departure, till he had recompensed his father's hospitality and his convoy, by a feast. At night they had a magnificent supper, and parted for their beds in high spirits. The strangers were conducted to an old tower, where the viscount Aboyne, with his valet and page, had the first or ground chamber, immediately over the vault, with which there was a communication by a circular aperture, immediately under Aboyne's bed. The heir of Rothmay, with his body servant, occupied the one immediately above. About midnight, the tower was set on fire, and in an instant, enveloped in flames, and Aboyne, with the baron of Rothmay and other four, perished in the flames, while Frendraught and his lady looked on unconcernedly, from a detached part of the castle, without offering to render the smallest assistance, although with very little exertion, the whole might have been saved from that dreadful fate. Aboyne could have saved himself, but his humanity would not suffer him to escape alone; he flew to Rothmay's room to awake him, and while in the act, the timber passage fell in, and precluded all retreat by the stair. The two youths then ran both to the window, half naked, crying out in agony, Help! Help! for Godsake! till perceiving that they made no impression on their hardhearted host and hostess, they prayed aloud that God would pardon their sins, then clasping themselves in each other's arms, submitted with resignation to their dreadful fate.

Strong suspicions arising, that the fire had not happened ac-

cidentally, Huntly prepared to take a terrible revenge for his son's death, when Frendraught seized one Meldrum, a relation of Lesly's—who had been in his service, but quarrelled with him because he could obtain no wages—carried him prisoner to Edinburgh, where he was tried, and executed as an incendiary, although the crime was not proved against him, and he died declaring his innocence. A young woman, daughter of the laird of Colpney, and some other persons, were tortured, but confessed nothing, and the privy council issued a commission to some of the noblemen and gentlemen of the county, to examine into the circumstances of the case, who, after a minute investigation, reported, that the fire must have been kindled by design, and not accidentally. This report having confirmed all previous suspicions respecting Frendraught, the vassals of Huntly and Rothmay uniting, ravaged his estates, hanged one of his tenants, and carried off and sold publicly, what they could not destroy. Frendraught was forced to flee to Edinburgh, where he laid his complaints before the privy council, who then issued an order for Huntly's appearance, with twelve barons, twelve gentlemen, and twelve ministers, to give evidence respecting the outrages. The marquis excused himself on account of his age, but the council refused to listen to this plea, outlawed him for non-appearance, and imprisoned such of his friends as did appear. He, however, afterward attended when the sentence of outlawry was reversed, and was obliged to enter into a bond to keep the peace himself, and use his utmost diligence to bring the offenders to justice. Before he left Edinburgh, however, he was accused by captain Adam Gordon, one of the principal offenders, in order to screen himself, as the instigator and promoter of all the disorders. On this charge he was committed, along with two of the principal gentlemen of his name, close prisoners to the castle. His confinement was short, an order soon came from court for his release, but he did not long survive his ill treatment. He died at Dundee, on his journey home, in the seventy-fourth year of his age. He was turbulent in his youth, and prodigal in his expenditure, but in his old age he became more sober, and rather penurious in his habits, and for several years, till involved



with Frendraught, was desirous to enjoy a little tranquillity, as best suited his years. He had repeatedly changed his profession, but died a firm adherent to the Roman Catholic religion.

While affairs were hastening fast to confusion at home, the enterprising warlike spirit of the natives, was acquiring honour to their country abroad, and a number of experienced officers were forming in foreign service, whose practical knowledge was afterward employed in the civil wars of their own country. Lord Reay had levied in the north a regiment—Mackay's—for the king of Denmark, which, after three years' service against the emperor, received an honourable discharge, and enlisted under the banners of Gustavus Adolphus, king of Sweden, who had already a number of Scottish officers in his army. Crowds of their countrymen followed, and were formed into a national brigade. Their numbers were computed at not less than ten thousand men, whose valour materially contributed to the splendid success of the Swedish monarch.\* Gustavus, when about to invade Germany, † was desirous of obtaining the aid of the British monarch, and Charles, who was anxious for the restoration of the Palatinate, engaged to support him with six thousand men, on condition that this object were attempted, but embarrassed by a negotiation with the emperor, who promised to procure for the elector his patrimony peaceably, he could not honourably assist Gustavus in an open manner. To relieve himself from this dilemma, he suffered the marquis of Hamilton, as if animated by a wish to promote the cause of freedom, and a high minded desire for honourable fame, to conclude in his own name, a treaty with Gustavus, for furnishing the stipulated number of auxiliaries. When the expedition was about to embark, it was detained by an accusation being brought against the marquis, by lord Ochiltree, ‡—who inherited his father's hatred against the house of Hamilton. He asserted, that colonel Ramsay, who had been

\* Monro's Expedition. † Burnet's Memoirs of the Dukes of Hamilton, p. 6.

‡ He was son of captain James Stuart, the infamous temporary earl of Arran.

employed in the negotiations with Gustavus, had told lord Reay, that the levies were intended to be employed not in Germany, but in raising himself to the crown of Scotland. This ridiculous story was carried immediately to the king. He mentioned it to Hamilton the first time he appeared at court, who, indignant at the malicious slander, demanded to be put upon trial, but the king, with the strongest expressions of affection, would not allow it, lest it should seem to imply that he thought any vindication necessary. The marquis, however, to clear himself from the imputation, insisted, that Ochiltree should be called upon to substantiate his charge. When questioned, all he could allege, was the hearsay, which Ramsay denied. Having charged the marquis with treason, and having failed to prove it, he was sent down to Scotland, and tried for leasing-making. The conviction involved a capital punishment, but death was commuted into the scarcely less severe sentence of perpetual imprisonment in Blackness castle, where he lay twenty years, till Cromwell relieved him. Reay and Ramsay, who mutually accused each other, were allowed the absurd award of a judicial combat, and had mounted a stage in Tothill-fields, Westminster, richly dressed, to decide it, when the king forbade the encounter.

Every obstruction being now removed, on the 16th of July, the expedition set sail from Yarmouth roads, and on the 4th of August, the troops were disembarked on the banks of the Oder. They mustered above six thousand able men, but report swelled their numbers to twenty thousand, a fortunate incident, that decided the wavering politics of the elector of Saxony, who immediately joined the Swedes, encouraged the other Protestant princes, and constrained Tilly, the imperial general, to weaken his army, by re-enforcing his garrisons. These circumstances greatly contributed to the decisive victory the Swedes obtained at Leipsic, nor was the original Scottish brigade without their share in the honours of the field, their regiments having on this occasion first introduced platoon firing, to the terror and astonishment of the Austrians. A few days before this important engagement, which laid the whole German empire open to the victor, Gustavus had an interview with the marquis of Hamilton, at Werben on the

Elbie, where a plan of co-operation was agreed upon, by which the British forces were placed at Custrin, Frankfort, and Lansberg, to secure a retreat in case of a reverse.

After the battle of Leipsic, the marquis advanced towards Silesia, and took Guben, a frontier town, by surprise, but while marching upon Glogau, with every prospect of reducing it, he was recalled by Gustavus, to Custrin, where he received orders to reduce Magdeburgh, which had been taken by Tilly some months before, when upwards of thirty-five thousand of the inhabitants were massacred. The marquis left with reluctance a plentiful country, to march into a district exhausted by two armies, and wasted with the plague; here his chagrin was still more increased, when, upon the advance of a force to relieve Magdeburgh, and he desired to engage them, Bannier produced a commission from the king of Sweden, to command all the Dutch and German forces, and not hazard a battle. In compliance, he retreated to Saltsa, where he took up a strong position, and refused to retreat farther. Pappenheim, who commanded the enemy, succeeded in getting into Magdeburgh, but finding it untenable, he drew off the garrison, with the most valuable effects, in the face of a superior force.\* After his departure, Hamilton, with the remains of this expedition, took possession of the fortress, but his little army was now reduced by disease, to two regiments, which were incorporated into the duke of Weimar's, and he remained as a volunteer with the Swedish army, waiting the instructions of the king. Charles now solicited the restoration of the elector palatine, but Gustavus, elated with success, began to entertain the idea of forming an independent kingdom in Germany, and declined giving up his rightful inheritance to the elector, except upon such conditions, as would have rendered it a subordinate province, on which the marquis of Hamilton was recalled in disgust, and the treaty with Sweden broken off. The Swedish king soon after fell in the arms of victory, but the veteran Scots remained in the service, till recalled by the voice of their country, on the rupture with her king.

\* Burnet's Memoirs, p. 20.

Charles, who had now reigned nearly ten years, had often expressed a desire to see the kingdom of his fathers. He had delayed it first at the request of his Scottish counsellors, who, perhaps, recollecting the expense of the former tour, were afraid of a second royal visitation, and afterward, the perturbed state of England had so completely engaged his attention, that Scotland in some measure enjoyed the advantage, which their neighbours appreciated and envied. *Procul a numine, procul a fulmine*, "far from a court, safe from its proclamations." This comparative tranquillity was now to be disturbed. The king had obtained a deceitful calm, by checking the expression, but not removing the cause of popular dissatisfaction in the south. In the north, the faithlessness, treachery, venality, injustice, and tyranny of the court party, had rendered the whole country suspicious and irritable, but they were calm, and the political and ecclesiastical aspirants told the king, that the sullen breathless gloom that portended the hurricane, was the tranquil face of loyal approbation. How often are such deceits repeated, and how often believed? On the 17th of May he left his capital. His journey through England was magnificent, his train splendid.\* He remained at Berwick four days, and his march to Edinburgh, was not less pompous than his previous progress. At Seton he was received by the earl of Winton, and at Dalkeith

\* According to Balfour's MSS. quoted by Guthrie, vol. ix. p. 206. it consisted of "thirteen noblemen, Mr. vice chamberlain, secretary of state, master of the prince's purse, two bishops, a clerk of the closet, two gentlemen ushers of the prince's chamber, three gentlemen ushers, quarter waiters, six grooms of his bedchamber, two cupbearers, two carvers, two sewers, two esquires of the body, three grooms of the privy chamber, two sergeants at arms, two sewers of the chamber, one master of request, six chaplains, two physicians, two surgeons, one apothecary, one barber, one groom porter, three for his robes, four for the wardrobe, seven pages of the bedchamber, three pages of the presence, sixty-one yeomen of the guard, two cross bows, two grooms of the chamber, nine messengers, six trumpeters, eight cooks, forty-two skewerers, and turn-broaches, seventeen musicians, subdean of his majesty's chapel, four vestrymen, the knight, harbinger, and master comptroller." His English attendants were calculated at above five hundred, a number the Scottish nobles viewed with dismay, but the most ominous visitant was Laud, archbishop of Canterbury, who was to regulate the ceremonial devotions of the Scottish church.

by the earl of Morton, who entertained him with a sumptuous splendour, that emulated the banquets of the richest nobles of the sister kingdom. On Saturday the 15th of June, he set out from Dalkeith for Edinburgh, and made his solemn entry by the West Port. The show and pageantry exceeded whatever had been previously displayed in the Scottish capital, and such was the fame of the preparations, that the town was crowded with strangers from the continent, who came to be spectators of the splendid spectacle.\* Next day, he heard sermon from the bishop of Dunblane, in the chapel royal, which had been newly fitted up for the visit, with two sets of bells, and a number of other additional ornaments.

\* Previously to his entering the city, a long congratulatory speech was made to him by Drummond of Hawthornden, who seems to have been master of ceremonies on the occasion, and who degraded the dignity of genius, by prostituting his talents to the purposes of adulation. The triumph has gone by with the shadowy dream that it decorated, but the stain remains, to deteriorate from the moral grandeur of one of our sweetest early poets. As the king approached the West Port on the south side, there was a beautifully painted view of the city of Edinburgh, and on withdrawing a veil, the nymph Edina, attended by lovely maidens, appeared, and presented the keys of the city to his majesty. On entering the gates, he was received by the magistrates, in their robes of red velvet, well furred, and the town council in black gowns, faced with velvet. The provost, in name of the good town, made a short speech, and presented his majesty with a bason of pure gold, estimated at five thousand merks, into which was shaken, out of an embroidered purse, a thousand golden double angels. Spalding adds, "the king looked gladly upon the speech and gift both, but the marquis of Hamilton, master of his maj. horse, meddled with the gift, as due to him in virtue of his office." At the foot of the Bow, he was met by a guard of honour, consisting of two hundred and sixty young citizens, dressed in white sattin doublets, black velvet breeches, and white silk stockings, bearing gilded partizans, and other arms. At the top was erected a triumphal arch, and here he was addressed by a female, dressed in the ancient garb, and representing the figure of Caledonia. At the west end of the Tolbooth, stood another triumphal arch, with a representation of all the Scottish monarchs, from Fergus to Charles. On the south side of the High Street, near the Cross, a large artificial mount was raised, representing Parnassus, covered with trees, shrubs, and flowers. In the vale between the biforked summit, rose a pyramid, with a glazeral [glistening] fountain on the top, whence issued a stream of pure water, representing Hippocerne. In the cavity of the mount sat two bands of vocal and instrumental music, with an organ to complete the concert; who, at the king's approach, performed an excellent piece of music, called Caledonia, composed on that occasion in the

On Tuesday he was inaugurated, but the effect of the august ceremony was destroyed by the foolish introduction of robes and ceremonies, which the people abhorred as imitations of Romish superstition. The bishops were arrayed in blue silk embroidered robes that reached to the feet, over which were white rochets, with lawn sleeves, and loops of gold; and the archbishop of Glasgow, who had refused to exhibit himself in the theatrical apparel allotted him, was rudely, and with the most indecent violence, pulled from his seat by orders of Laud. Spotswood, archbishop of St. Andrews, placed the crown on the king's head, and the bishop of Moray, who was made lord almoner, threw handfuls of silver coronation medals among the spectators in the chapel. An object of particular, and not pleasant remark, was the introduction of an altar, on which were placed two books, "at least something resembling clasped books, called blind books,"\* with two chandeliers, and two unlighted wax tapers, and an empty silver bason. At the back of the altar, which was covered with tapestry, there was a rich tapestry, on which a crucifix was embroidered, and the officiating bishops, as they passed it, were observed to "bow the knee and beck" [make obeisance] to the symbol of idolatry.† The coronation sermon, which was preached by Laud, consisted of a furious declamation in favour of a farther conformity between the churches of Scotland and England in their rites and discipline.

Parliament met on the day after the coronation,‡ and to

most elegant manner, by the best masters. On the northern side sat Apollo, and nine boys clad like nymphs. When the music ceased, Apollo addressed the king, and in the conclusion, gave him a volume of panegyrics, composed by the members of the college upon the occasion. A closing speech was delivered at the Netherbow Port, after which the king rode down to Holyrood-house.

This entry, with the present and banquet, cost the town of Edinburgh forty-one thousand, four hundred, and eighty-nine pounds Scottish money. Row's MSS. Maitland's Hist. of Edinburgh.

\*-Spalding's Troubles in Scotland, vol. i. p. 25.

† Ib.

‡ "On the 20th of June the haill estates came down to him, who came frae the abbey in order, and was the first day of the riding of the parliament. In the first rank rode the commissioners of burghs, ilk ane in their own

render it still more obsequious than ever, a new manœuvre was practised in electing the lords of the articles. The chancellor named the prelates, and they chose the nobles, and both concurred in selecting the members from the third estate. In their money vote they granted the largest supply ever given to any Scottish monarch—a land tax, consisting of thirty shillings, amounting to about four hundred thousand pounds Scottish, and the sixteenth penny of all annual rents or interest of money. The rate of interest was also reduced from ten to eight per cent., and the two per cent. deducted from the creditor was given to the crown. This act passed without opposition; not so the next. Soon after James had ascended the English throne, in 1606, an act was passed declaratory of the extent of the royal prerogative, and three years after, as a personal favour to that king, but never intended as a precedent, another, in which was conceded to him the power of prescribing the robes of judges, and the habits of churchmen. These two acts the lords of the articles embodied in one, together with a general ratification and

places, well clad in cloaks, having on their horses black velvet foot mantles; secondly, the commissioners for barons followed them; thirdly, the lords of the spirituality [lords of erections] followed them; fourthly, the bishops, who rode altogether, except the bishop of Aberdeen, who was lying sick at Aberdeen, and the bishop of Murray, who, as Elymosiuar, rode beside the bishop of London, somewhat nearer the king; fifthly, followed the temporal lords; sixthly, followed the viscounts; seventhly, the earls followed them; eighthly, the earl of Buchan carrying the sword, and the earl of Rothes the sceptre; ninthly, the marquis of Douglas carrying the crown, having on his right the duke of Lennox, and on his left the marquis of Hamilton; following them came his majesty, immediately after the marquis of Douglas, riding upon a chestnut coloured horse, having on his head a fair bunch of feathers, with a foot-mantle of purple velvet, as his robe royal was, and none rode without their foot-mantles, and the nobles all in red scarlet furred robes, as their use to ride in parliament is; but his majesty made choice to ride in king James the fourth's robe-royal, whilk was of purple velvet, richly furred, and laced with gold hanging over the horse tail a great deal, whilk was carried up from the earth by five grooms of honour, ilk one after ither all the way as he rode to his highness lighting; he had also on his head a hat, and aae rod in his hand. The heraulds, pursuivants, macers, and trumpeters, followed his majesty in silence. In this order his majesty came up frae the abbey, up the High Street, and at the Netherbow the provost of Edinburgh came and salut-

confirmation of all the statutes in favour of the liberty and freedom of the true kirk, of God, and religion, as it was then presently professed. The parliament, who would not have hesitated in confirming the royal prerogative in its utmost extent, startled at the idea of conferring on his majesty the power of regulating the ecclesiastical vestments, dreading, from the specimen they had seen at the coronation, that the embroidered trappings of Rome would soon be introduced. When the act was read, lord Melville, an aged nobleman, exclaimed:—"I have sworn with your father, and the whole kingdom, to the confession of faith, in which the innovations intended by these articles were abjured."\* Charles felt the irresistible force of the appeal, but he had not the virtue to recede; he paused for a moment and retired, and on his return, to avoid any similar interruption, ordered the members to vote, and not to reason. The earl of Rothes was the leader of the opposition; he proposed, as there were so many who scrupled about the clerical habits, that the two acts

ed the king, and still attended him while [until] he lighted. The causey was railled frae the Netherbow to the stinking style with stakes of timber, dung in the end on both sides, yet so that people standing without the samen might see well enough, and that none might hinder the king's passage. There was within the rails a strong guard of trainmen with pikes, partisans, and muskets, and withal the king's own English foot guard was still about his person. Now his majesty with the rest lighted at the said stinking style, where the earl of Errol, as constable of Scotland, with all humility received him, and conveyed him through his guard to the outer door of the high tolbooth, and the earl of Marishall as mariachall of Scotland, likewise received him, and conveyed him to his tribunal through the guard standing within the door, and set the king down. After his majesty all the rest in order followed; the mareschall, the prelates, and nobles, ranked after their own degree; then the earl of Errol sat down in a chair, and he in another, side for side, at a four nooked taffil, set about the foreface of the parliament, and covered with green cloth. The parliament about eleven was fenced; thereafter the lords of the articles began to be choose." "How soon they were chosen the parliament rose. About two in the afternoon his majesty went to horse, rode to the abbey, having the earl of Errol, as constable of Scotland, on his right hand, and the earl of Mareschall as mareschall thereof, on his left hand, and carrying a golden rod in his own hand; and so the haill estates in good order rode to the abbey."—Spalding, vol. i. pp. 23, 24.

\* Laing, vol. iii. p. 111. Row, p. 218.



should be disjoined ; but the king would listen to no proposition, and insisted that both or neither should be rejected and pulling a list from his pocket, he exclaimed :—" I have your names here, and I shall know to-day who will, and who will not, do me service." This tyrannical declaration was succeeded by an action more criminal and base. The articles were rejected by a majority, fifteen peers, and forty-four commissioners, voting against them ; and in the minority, it was alleged, there were several noblemen who had voted twice, first as officers of state, and then as peers of parliament.\* Sir John Hay of Landes, the clerk register, however, reported that it was carried in the affirmative. Rothes immediately rose and contradicted this, asserting, that the negatives were the majority. The king, who held the list in his hand, marked by himself, and who must have been conscious of the state of the vote, was afraid of a scrutiny, which any honest man in his situation would have courted, if the question had carried, and not shunned, even although it had been doubtful, interposed, and declared that the report of the clerk register must be decisive, unless Rothes chose to appear at the bar of that house, and accuse him of vitiating the parliamentary record, which was a criminal offence, and which, if he failed to prove, he was liable himself to a capital punishment. Rothes declined the perilous office, and the articles were ratified by the king, as the deed of parliament.

The gratulations with which the king had been received at his arrival, were now changed into low, deep expressions of disgust ; and the appearance of the public was so much altered, that it attracted his attention, and drew from Leslie, bishop of the Isles, the unintended, well known prediction, that "the behaviour of the Scots was like that of the Jews, who one day saluted the Lord's Anointed with *hosannahs*, and the next cried out, crucify him." The ministers, who adhered to the Presbyterian form, and who lamented the desolation of the church, and the total disuse of her high courts, had, previously to the king's coming to Scotland, resolved to present their petitions to parliament, and had drawn up a

\* Crawford, sect. ix. p. 24.

paper, entitled, "Grievances and Petitions concerning the disordered state of the Reformed Church within the realm of Scotland." These consisted in a disregard and violation of every agreement which had been entered into between the sovereign and the church, and of every act of parliament which had been made in her favour. Ministers had been admitted to vote absolutely in parliament, although his late majesty in person was present at an assembly which enacted, they should only vote in parliament in consonance with their instructions, and be accountable for their conduct. The resolutions of the general assembly held at Glasgow, 1610, had been vitiated under the name of explanation by the act of parliament, 1612, which removed the bishops' conduct and conversation from the inspection of the general assembly, and gave them the collation of benefices, and the power of disposing of those fallen into their hands, *jure devoluto*. The holding of general assemblies, which by law ought to have been called at least once a year, had been totally discontinued. Since the reformation, the observation of festival days, private baptism, private communion, Episcopal confirmation, and kneeling at the sacrament, had been rejected, but were now arbitrarily imposed, although the tenor of the act of the Perth assembly not only contained no injunction to that effect, but professed that none should be pressed with obedience to that act. Oaths were administered to ministers at their admission or ordination, which the church had not warranted, and that notwithstanding there be constitutions of the kirk, and laws of the country, for censuring ministers before the ordinary ecclesiastical judicatories; yet, contrary to that order, ministers are silenced, suspended, and deprived, and that for matters merely ecclesiastical, before other judicatories which are not established by the authority or order of the country and kirk. The method prescribed by proclamation for presenting all such papers was, to address them to the clerk register, whose duty it was to lay them before the king and the estates. Thomas Hogg, who had been lately deposed by the high commission from his ministry at Dysart, was pitched upon to carry the instrument to the clerk register. This officer—Sir John Hay—is characterized, by Sir James

Balfour, as a sworn enemy to religion, and a slave to the bishops, and his conduct on this occasion agreed with his character. He was mightily offended with the presumption of the ministers, and violently urged Mr. Hogg to withdraw the paper; and when he would not comply, threatened the notary, who had dared to exercise his office, in putting the grievances into legal shape. Thus rebutted by Sir John, he applied to several of the nobility in Edinburgh, but, to ensure its being presented, went to Dalkeith, the night before the king entered his ancient capital, and delivered it to his majesty. Charles received it coldly, read it with an unmoved countenance, and took no further notice of it. The earl of Morton, however, came to Mr. Hogg some short time after, and told him he wished the petitioners had chosen some other part than his house for presenting their supplication. Grieved and hurt at the manner in which their complaints had been treated, they sedulously waited upon the members of parliament, carried to them all the information they could collect respecting the intended innovations, and they found, in a great number of them, very ready auditors. "For, besides that the generality of the nobility," says bishop Guthrie, "were malecontented, there were observed to be avowed owners of their interest; in Fyfe, the earl of Rothes, and lord Lindsay; in Lothian, the earl of Lothian, and lord Balmerino; and in the west, the earls of Cassillis and Eglinton, and Lord Loudon."

After the rising of parliament, the king's conduct began to be discussed, and very general feelings of indignation were excited by the manner in which he had overawed its proceedings. Even the nobles who had voted in the majority felt that their independence was at stake, while those whose opposition the king had publicly marked were apprehensive of the effects of the royal displeasure. The prelates represented them as the authors of sedition in the state, and schism in the church, and they were studiously excluded from any mark of his majesty's favour. They were not honoured with any of the titles he so profusely bestowed \* while in Scotland,

\* When the king was in Scotland he dubbed fifty-four knights on various

and in his short tour through part of the country, he affronted them by his disdainful treatment, in a manner which they were not likely to forget, and which he probably afterward remembered. He had gone to Linlithgow, Stirling, &c. and was proceeding to visit the abbey of Dunfermline, where he was born, when the earl of Rothes, as sheriff of Fife, and lord Lindsay, as baillie of regality of St. Andrews, collected their friends, and a number of the gentlemen of Fife, to the number of about two thousand horsemen, in their best equipage, and drew up on the border of the shire, in the way where his majesty was to have passed, in order to have welcomed him to their county; but although he had graciously accepted of similar compliments from other counties, he allowed these two lords, with their followers, to remain waiting for hours, but avoided them by contemptuously taking a by-road. On his return he very narrowly escaped being lost in the Frith of Forth; a sudden squall overtook the party when about mid passage, upset the boat which carried his plate, and he with difficulty reached a ship of war lying in the roads, that brought him safely to Leith.

These actions of the king excited hatred; the following was viewed by Presbyterians with contempt. On the 4th of June, St. John the Baptist's day, he went in great state to the chapel royal, and after making a solemn offering at the altar, a hundred persons were presented to him, all of whom he touched for the king's evil, putting about each of their necks a piece of gold, coined for the purpose, hung at a white silk ribbon. At length, after a visit which had satisfied no party but the prelates, the king and the Scots parted, mutually displeased with each other. On the 18th of July he set out for Berwick with his retinue, which he left there, while he posted forward to Greenwich, accompanied only by forty attendants, to visit the queen, who had just been delivered of her second son, the unfortunate James VII. of Scotland.

The king, after his departure, erected Edinburgh, which had previously formed part of the see of St. Andrews, into a separate bishopric, and nominated Mr. William Forbes, one

occasions, and to honour his coronation, created one marquis, ten earls, two viscounts, and eight lords.

of the ministers of Aberdeen, as bishop. He was accordingly elected, *pro forma*, by a chapter, and upon the 28th January was solemnly consecrated in the chapel royal, in presence of two archbishops, and five other bishops. St. Giles upon this occasion was restored anew to its cathedral amplitude, the wall which divided the little from the high church being removed. He enjoyed his dignity only about two months and a half, and was succeeded by Mr. David Lindsay, bishop of Buchan.

About the time of Charles leaving Scotland, Abbot, archbishop of Canterbury, died, and Laud, for his zeal, was immediately installed primate of England. He had behaved, while in Scotland, with a forward haughtiness, which had given great offence, and his zeal for the introduction of the ceremonies and the doctrine of Arminianism, was considered as a strong symptom of his attachment to Popery. Two anecdotes were currently reported of him, which were supposed to support this unfavourable view of his character. When he was at Perth with his majesty, the magistrates, as a mark of respect, presented him with the freedom of the burgh, and, as was customary, tendered him the oath of adherence to the Protestant religion. "It is my part," said he, "to exact an oath for religion from you, rather than yours to exact any such from me;" and refused to take it. The other occurred at Dumblane. Visiting the cathedral, which was not in the best state of repair, one of the bystanders observed, that it was more beautiful before the Reformation. "Reformation, fellow! you should say Deformation," was the bishop's reply. To this zealot was now committed the regulation of all church matters in both kingdoms, and he hastened to carry into execution his most obnoxious plans, with the most impolitic precipitation. Intending that the service of the chapel royal should be the model of all the rest throughout the kingdom, orders were sent down from London for prayers to be said twice a day, with the choir, according to the English liturgy, and the dean was required to look carefully that the communion were administered once a month, and received by the communicants kneeling. He was to observe all the holydays, and use the surplice whenever he preached. The lords of privy coun-

cil, the lords of session, the advocates, clerks, writers to the signet, and members of the college of justice, were commanded to communicate, at least once a year, in the chapel royal kneeling; the dean to report yearly how this mandate was obeyed, and note the dissenters. Yet, according to Row, few of the privy council, or of the college of justice, complied with this order. What confirmed the suspicions of the people that Popery was lurking under all these innovations was, that while so much zeal was displayed about outward show in worship, the Sabbath was profaned by royal authority, and the highest judicial characters in the land were reprimanded before the council, because they had ordered wakes and revels upon Sundays to be suppressed.\*

The minds of the people were kept in a state of continual irritation and feverish excitement, by the constant succession of changes which were promulgated by almost every new arrival from court; but the affections of the nobility were estranged, and their fears for their own safety excited by the trial of lord Balmerino—an act of political injustice which under the colour of law, struck at the root of all security. The peers, who were in opposition at the meeting of parliament, in order to clear themselves from the imputations which were thrown out against them as enemies to the government, prepared an humble supplication to his majesty, respectfully

\* Complaints having been made of the outrages which frequently occurred at ales and revels upon the Lord's day in Somerset, the lord chief justice, and baron Denham, in their circuit, ordered all revels, church ales, clerk ales, and all other public ales, to be suppressed, and that the minister of every parish should publish the notice yearly from the pulpit. Whenever Laud heard of this order, which he conceived an encroachment upon his clerical rights, the archbishop complained to the king, and the chief justice was commanded to attend the privy council, and answer to the complaint. In exculpation, the chief justice said the order was issued at the request of the justices of peace in the county, with the general consent of the whole bench, and in conformity with several ancient precedents. He was, notwithstanding, commanded to revoke his order. At next assizes, lord chief justice informed the justices, grand jury, and country, that those good orders made by him and his brother Denham, for suppressing unruly wakes and revels, wherein he thought he had done God, the king, and the country, good service, were revoked by his majesty's order, and that all persons may use freely their recreations at such meetings. The justices of peace, grieved at the re-

requesting him to consider, that in deliberations about matters of importance, either in council or parliament, opinions often differ, but that they who have been of a contrary mind to the majority, have never been censured by good and equitable princes.\* They acknowledged the prerogative in its most ample form, and after modestly noticing the general fears entertained of some important innovation intended in the essential points of religion—especially as diverse papists were admitted into parliament, and upon the articles, who, by the laws of the realm, could be members of no judicatory within it—they state that their minds being thus perplexed, they had reason to suspect a snare in the subtle conjunction of the act, 1609, respecting apparel, with that made 1606, respecting the royal prerogative, which, by a sophistical artifice, should oblige them either to vote undutifully on the sacred point of prerogative, or against their consciences on the point of church innovations. They then implored the king to reconsider the articles from which they dissented, and the operation of which, they were persuaded, would be pernicious, and, in conclusion, enumerated, in very measured terms, a number of grievances of which they had not complained, and noticed the facility with which they had consented to the supplies as proofs of their loyalty, which they asserted was more disinterested than that of those who, regardless of his honour, had hazarded the

vocation, drew up a petition to the king, expressing the many mischievous consequences which attended those meetings, which were condemned by law; but before they could get it presented, the king's declaration concerning recreations on the Lord's day after evening prayer was published, announcing the royal pleasure, "that after divine service, his good people be not disturbed, letted, or discouraged from any lawful recreation; such as dancing, either men or women, leaping, vaulting, or any harmless recreation; nor from having of May games, Whitson ales, or Morrice dances, or setting up May poles, and other sports therewith used, so as the same be had in due and convenient time, without impediment or neglect of divine service." One of the curious reasons assigned for authorizing this profanation of the Sabbath is, to promote the conversion of the papists! who would, if no such innocent amusements were permitted, be persuaded by their priests that no honest mirth or recreation is lawful in the religion which the king professeth!!—Rushworth, vol. ii. pp. 198, 194.

\* The supplication is preserved complete in Crawford.

enactments to contradiction, or tampered with the members of the estates to procure their votes. This petition, as dutiful and moderate as any that could be presented to a prince, was drawn up by Haig, an advocate, and the scroll, as a necessary precaution, to avoid offence, was carried by lord Rothes to Charles, who, upon perusing it, signified his displeasure, and in returning it, said haughtily to Rothes:—"No more of this, my lord! I command you." Several lords had concurred in the petition, but, upon this peremptory veto being told them, it was laid aside.

Balmerino, who, in consequence of his father's misfortunes, had never approached the court, and intermeddled but little with public affairs, was one of the dissenting lords, and a party to the petition, a copy of which he retained. After Charles had returned to England, and the discontents of the country were increasing, thinking, if the petition were modified and rendered more agreeable to the king, it might be productive of some advantage, he communicated the scroll to one Dunmoor, a notary, in confidence, for his advice, and allowed him to carry it home, but under the strictest injunctions, that he should show it to nobody, nor suffer any copy to be taken. Under a promise of great secrecy, however, the notary showed it to Hay of Naughton, Balmerino's private enemy, who surreptitiously obtained a copy, and, regardless of his promise, betrayed the secret to the archbishop of St. Andrews. The primate immediately repaired to court, and laid it before the king, as a paper of the most mischievous tendency, which was circulated through Scotland to obtain subscriptions, and urged the necessity of some striking example to intimidate the nobles whose opposition encouraged the refractory spirit of the ministers. There were laws in Scotland against *leasings* loosely expressed, and capable of being tyrannically extended, which made it a capital crime to disseminate lies against the king or his government, or reports tending to excite sedition, and alienate the affections of the subjects from the sovereign; and all who heard these reports and did not reveal them, nor cause the author or propagator to be apprehended, were deemed equally guilty, and liable to the same punishment. By a most unwarrantable stretch of interpretation, the petition was con-



sidered as coming within this act, and a commission issued to examine into the offence. Balmerino himself was committed prisoner to Edinburgh castle to stand trial; Haig, the real author, had escaped to Holland. It would have been difficult to find out the crime of showing a respectful and loyal petition to a confidential friend, had we not also been informed that the greater part of Balmerino's estates consisted of grants of church lands, and that the chief instigator of the prosecution was the archbishop of St. Andrews. The prelates themselves were not certain of the justice of the cause, and could not reckon on a verdict agreeable to their wishes without using influence. The earl of Traquair, lord treasurer, then supposed one of the ablest men, and most eloquent speaker in Scotland, was therefore intrusted with the management of the trial, and to procure a jury fitted for the purpose; and as juries in Scotland were then nominated by the judge, and no peremptory challenges allowed, the power of the crown officers, in cases of sedition or treason, was irresistible. The assessors to the justice-general, who were to decide upon the law, were all inimical to the pannel—Learmont, one of the lords of session; Spotswood, the president, second son of the archbishop: and Hay, lord register. Balmerino was indicted for leasing making, and charged as the author and abettor of a seditious libel, because the copy of the petition, found in his possession, was interlined with his own hand, and he had not discovered the author. He pleaded for himself. The act respecting discovering an author, he remarked, had never been put in execution, and never could be meant to apply to any thing that was not notoriously seditious; and that till the court had so decided, he never considered the petition in any other light than as a dutiful representation, intended to exculpate himself and his friends from charges of disaffection, and to enable the king to form a correct estimate of their conduct. When he first saw it, although he approved of it in general, he objected to some expressions; besides, he communicated the business to lord Rothes, who informed the king, and upon hearing of his majesty's displeasure, all idea of presenting it had been laid aside. The earl of Rothes corroborated this statement; but, notwithstanding, the court decided that it

ould go to an assize. Of the fifteen jurymen nine were hallenged, either as private enemies, or as having prejudged the question; but one only was sustained—the earl of Dumries, who had said, if the pannel were as innocent as St. Paul, he would find him guilty, and even he would have been dmitted by the judges, had not the lord advocate objected. This deficiency was supplied, however, by the admission of Traquair, and the jury seemed complete for the purpose of the court; but one had found admission whose resistance had not been calculated on—Gordon of Buckie, now near the verge of life, who, about half a century before, had assisted in the murder of the earl of Moray, and was chosen on this occasion as a sure man. As soon as the jury were enclosed he rose, and, apologizing for his presumption in first addressing them, entreated them to consider well what they did; it was a matter of blood; and that would lie heavy on them as long as they lived. He had in his youth been drawn in to shed innocent blood, for which he had obtained the king's pardon; but many a sorrowful hour, both night and day, had it cost him ere he obtained forgiveness from God; and while he spake, the tears ran down his furrowed cheeks. An appeal so unexpected was powerful; but Traquair, their foreman, said, they had not before them any question about the severity of the law, nor about the nature of the paper, which the court had determined to be leasing making; they had only to decide whether the prisoner had discovered the author of the paper or not. The earl of Lauderdale contended that they were called upon to judge both of the law and the fact; for severe laws never executed, must be held to be annulled; and though, after the court had judged the paper to be seditious, it would be capital to conceal the author, yet, before this judgment, it was not so clear that the prisoner was bound to make any discovery. The two parties argued the subject for several hours, and at last divided equally, a verdict of guilty was only obtained by the casting vote of Traquair. Sentence of death was immediately pronounced upon Balmerino; but the execution was delayed during the pleasure of the king. The interest excited by this trial was inconceivable, and the public rage, when the result was known, threatened to produce a

very dangerous explosion. Many meetings were secretly held, and it was resolved either to force the prison and set him at liberty, or, if that failed, to revenge his death on the judges and jury by whom he had been convicted, some undertaking to put them to death, and others to set fire to their houses. Traquair, when he learned his danger, instantly repaired to court, and represented to the king, that although Balmerino's life had been justly forfeited, his execution, in the present state of Scotland, would not be advisable. After a tedious imprisonment, a pardon was most ungraciously bestowed.

The consequences of this trial were fatal to the interests of Charles in Scotland. It united in one common cause, the nobles and the people; long had the latter groaned under the oppression of perverted justice, and sighed after deliverance, but the complaints of the public are ever unavailing, unless some point of concentration be afforded. This was now supplied by government. The nobility discovered that there was no protection for themselves from the resentment of the prelates, and the vengeance or caprice of the crown, except by gathering around them, the neglected strength of plebeian power. They saw that patriotism was a crime, and innocence no defence. Whenever they dared to remonstrate against usurpations, however flagrant, either in church or state, whether by opposition in parliament, or petition without it, they were liable to be indicted; a word uttered by themselves in a moment of irritation, or heard and not repeated, might occasion their ruin. Balmerino's pardon, which had been extorted by the decided expression of public indignation, while it was considered by himself as no favour from his prince, pointed out to his party, the only method of counteracting the designs of a despotic monarch, and an ambitious hierarchy. A confederacy among the nobles, had frequently before delivered the kingdom from the dominion of favourites. A general union between nobles and people, had accomplished all the grand ends of the Reformation, and humbled a more powerful, though not a more intolerant or aspiring priesthood, than that with which the country was at present borne down. To some similar association their minds were naturally turned, and an opportunity only was wanted,

demonstrate the strength and universality of the latent confederacy. But, as if all the existing causes of discontent had not been sufficient to inflame the resentment of men already ripe for revolt, not a public office of any importance was vacant, or was thought attainable, but it was grasped at by the prelates. On the death of Kinnoul, the chancellor, of Scotswood, who was desirous to unite the first office in the state, with the primacy in the church, solicited, and obtained the succession. The lord treasurer's office, held by Traquair, was next applied for by Maxwell, bishop of Ross, and nine out of fourteen prelates, were members of the privy council.

Still unsatisfied, they proposed that the order of mitred abbots should be revived, and substituted in parliament in place of the lords of erections, whose impropriated livings and tithes should go to their endowment; they obtained a warrant from the king to erect in each diocese, inquisitorial courts, subordinate to the high commission, where equal injustice and oppression was practised; \* and considering their power fixed on too firm a basis to be shaken, and because the nation remained in a state of gloomy tranquillity, and had hitherto submitted with sullen discontent, the younger, and more ambitious prelates, aping the high ecclesiastical pretensions of Laud, treated every dissident of whatever rank, with haughty superciliousness, and the ministers in particular, with an overbearing domination, which they who had been accustomed to Presbyterian parity among the brethren, could

\* The following instances will give some idea of the nature of these courts. Alexander Gordon of Earlstoun, having made some opposition to the settlement of a minister, who was not acceptable to the parish, was summoned by the bishop of Galloway before his diocesan commission, and because he failed to appear, was fined in absence, and banished to Montrose, and although he was intrusted with the charge of lord Kenmuir's estates, and lord Lorn, one of the tutors, on this account requested the sentence of banishment might be remitted, the bishop refused to relax the execution of his sentence.

The same bishop, in the same oppressive court, deprived Robert Glendinning, minister of Kirkcudbright, an old man, seventy-nine years of age, because he would not conform, nor admit an innovator into his pulpit; and because the magistrates of Kirkcudbright would still hear their minister preach, and his own son, one of the baillies, refused to incarcerate his aged father, the bishop ordered him and the rest of the magistrates, to be imprisoned in Wigton.

ill brook. Headstrong and inexperienced, they sought, by their furious zeal in promoting the projects of Laud, to ingratiate themselves with the archbishop, who acted not only as primate of England, but as high priest of the hierarchy of Scotland, and strongly urged the introduction of the liturgy. The older bishops were better acquainted with the dispositions of the people, were less assuming in their manners, and the difficulties they had already encountered in introducing prelacy, had rendered them desirous of resting with the advantages they had gained, and unwilling to risk the danger that might arise, from disturbing the peace of the church by further innovation.\* The solicitations of the fiery overcame the objections of the more prudent ecclesiastics, and Traquair, who perceived himself standing but upon ticklish ground, sacrificing his principles, and even his better judgment, to retain his situation, joined the prevailing party, and confirmed both the king and his ghostly adviser in their opinion, that nothing would be more easy than to introduce the service book into Scotland, and that the fears of tumult or disturbance were groundless. Preparatory to the liturgy, the book of canons was first issued. It was compiled by the bishops of Ross, Galloway, Dunblane, and Aberdeen, who transmitted it to London, to be revised by Laud and two other English bishops, after which the king, by his prerogative royal, issued an order under the great seal, enjoining their strict observance upon all the dignitaries and presbyters of the church of Scotland. They were printed at Aberdeen, and circulated by the Scottish bishops in their dioceses, for the information and direction of their clergy. There was an air of distrust, as to their success, thrown over the whole, by the place where the canons were printed—not in the capital—but their mode of imposition was universally disapproved of.

Ever since the period of the Reformation, no form of church polity had been introduced without the sanction of a general assembly, and James himself, when overturning the power, preserved the form of these courts, but in this case, not even

\* Guthrie's Memoirs, p. 18. Burnet's Memoirs of the Dukes of Hamilton, p. 30.

the shadow of deference was paid to the jurisdiction of that body—the canons were confirmed by the royal supremacy alone. The intent of the canons was equally repugnant to the principles of the Presbyterians, as the manner in which they were promulgated. They affirmed the supremacy of the king in ecclesiastical affairs, to be the same as that exercised by the godly kings of Judah, or the Christian emperors, and to impugn any part of which, was to incur the censure of excommunication, a penalty that involved in its civil consequences, confiscation and outlawry. The authority, and the Scriptural propriety of the office of the bishops, was secured from challenge by a similar penalty, which was extended, by a most absurd enactment, to all who should affirm that the worship contained in the Book of Common Prayer, and Administration of the Sacraments, was repugnant to the Scriptures, or superstitious, or corrupt, although they had not any opportunity of examining them previous to publication. With the same attention to propriety, every presbyter was enjoined to adhere to the forms laid down in a book which he had never seen, and under pain of deprivation, was forbidden, on any occasion in public, to pour out the fulness of his heart to God in extemporary prayer. The behaviour to be observed by the congregation at the sacrament, and during divine worship, was minutely described. No private meetings were to be held by the ministers for expounding the Scriptures, and no ecclesiastical business was to be discussed, except in bishops' courts.

The whole structure of the Presbyterian church being thus swept away, the furniture, which she had desecrated nearly a century before, were reinstated in all their sacred honours in the renovated cathedrals; the font resumed its position near the door, and the altar in the chancel, or east end of the church, that the worshipper might direct at least his face, if not his thoughts, to Palestine. During divine service, the holy table was to be covered with a rich carpet, but when the eucharist was dispensed with a white linen cloth. The communicants were to kneel around it, and if any of the consecrated elements should remain, they were to be distributed among the poorer sort who had communi-

cated, and, to prevent their profanation, be consumed on the spot. To assimilate ordination to a real sacrament, it was ordered that it should be bestowed only at four seasons, the equinoxial and solstitial, in the first weeks of March, June, September, and December, and a very near approach was made to auricular confession, in ordering, that no presbyter should discover any thing told him by a penitent, to any person whatever, excepting the crime was such as, by the law of the land, his life would be endangered if he concealed it. The powers granted the bishops were exorbitant, and provision was made for its consolidation, by securing to the clerical order, an indefinite increase of wealth. No person was allowed to teach privately, or in public schools, without the license of the archbishop of the district, or bishop of the diocese, nor was a book permitted to be printed, till perused and approved by visitors appointed for that purpose, under a penalty left to their discretion. To secure funds, it was enacted, that no presbyter should endanger his property, by being surety for any person in civil bonds, under the penalty of suspension, and it was required, that both they and the bishops should, if they died without issue, leave it in whole, or in part to pious uses, or if they had children, that some legacies ought to mark their affection for the church. The apology for publishing these canons, was perhaps as impolitic as the publication itself. The design, it was said, was to give a compendium of the regulations which had received the approbation of the general assembly, but which scattered through a number of volumes, were not always within the reach of the people, or even of the ministers, an assertion so palpably at variance with the fact, and so easily detected, that it was received as an insult, and created new suspicions, while it rivetted the old.

When the subject of a liturgy was agitated during the king's visit to Scotland, the adoption of the English prayer book was proposed, to make the conformity between the two nations complete, but as this would have been acknowledging the ecclesiastical superiority of the English archbishop, the Scottish prelates, so accommodating in every other point, would not concede this, and the king or Laud consented to their

desire of having a national prayer book. The task of composing it, was committed to the bishops of Dunblane and Ross. But the difference consisted almost entirely in the title, in substance it was a transcript from the English, with some variations, additions, and omissions. The quotations from the Apocrypha were not so frequent, and instead of the bishops' translation from the Vulgate used in the English, the version now in use was substituted, but in other respects where it differed, it was by approaching nearer to the mass book. It was afterwards sent to London for revisal, and some corrections were made by Laud, which brought it still nearer to the Popish ritual. The water which was poured into the font, was to be consecrated, by prayer, and when the sacred element was administered in baptism, the sign of the cross was to be employed in its application. The ring was enjoined in marriage. In the administration of the communion, or as it was styled, the service of the altar, the minister who officiated, was to stand at the north side, while the words of the institution were read, but afterward to remove, and stand with his back to the congregation, while consecrating the elements. The form of prayer prescribed to be used on the occasion, "Hear us merciful Father, and out of thy omnipotent goodness, grant that thou mayest so bless and sanctify, by thy word and Holy Spirit, these thy gifts, these thy creatures of bread and wine, that they may be to us the body and blood of thy beloved Son," seemed to imply a sanction of the doctrine of transubstantiation, while the marginal directions, that "The minister officiating, shall take or lift up the plate in his hands, while these words, 'this is my body,' are repeating, and the cup when he pronounces 'this is the blood of the New Testament,'" were construed as not very indistinct imitations of the elevation of the host. The deacon was to offer a memorial, or prayer of oblation, when presenting the collections of the people to be placed upon the altar, and thanks were afterward to be given for departed saints, a number of whom who had blessed Scotland by their presence, were added to the calendar.

A liturgy so strongly opposed in many material points, to the opinions and predilections of a nation who abhorred a



liturgy in any shape, would have required great caution in bringing it forward, but the resolution was adopted of introducing it in the worst possible manner, without any previous preparation, without consulting either presbytery, synod, or general assembly, and in opposition to the advice of the oldest prelates, and the objections of Spotswood, whose general compliance ought to have given weight to this solitary example of remonstrance, and the representations of the privy council, it was determined to impose it by royal mandate, and Episcopal authority, and both the privy council and Spotswood were forced to concur. A proclamation was brought from court by the bishop of Ross, in December 1636, announcing the completion of the work, and commanding all faithful subjects, clergy, and others, to receive with reverence, and conform themselves to the public form of service therein contained; also, ordering all archbishops, bishops, and other presbyters and churchmen, to enforce its observance, and bring the contraveners to condign punishment, who were likewise enjoined to have special care, that every parish, betwixt and Easter, have two copies of the liturgy. This proclamation was published by an act of council, obtained at a meeting composed of the chancellor and eight other bishops, while only two lay members were present, who refused to vote, as they had never seen the book, and although it gave rise to no open tumult, occasioned much private altercation. The two parties became daily more imbittered against each other. The Presbyterians, who had long and anxiously watched the inroads which had been made upon the church, till the subversion of all that they esteemed beautiful in order, and pure in the form of her worship, branded, as idolatrous and superstitious, things, perhaps, innocent in themselves, and were apt to impute motives, and judge of the actions of their adversaries, with an indiscriminate acrimony. The prelatic zealots exasperated their opponents, by pressing upon them an implicit obedience to the new forms of baptism, the communion, marriage, burial, prayers, psalms, ordination, and preaching, under the pains of confiscation and outlawry,\*

\* Baillie, vol. 1. p. 2

while the moderate, who could not go the length of either party, lamented their violence, and prognosticated a schism, but they were few in number, and those among them whose voice might have had any influence, Kinnoul, Marischal, Marr, Errol, and Melville, were unfortunately cut off at a critical period, by an epidemic disease.

When the book itself was obtained, it was criticised with the keenest jealousy, was made the constant theme of discourse in the pulpit and in private, and a report soon became generally current, that it was a translation of the mass, which the prelates had conspired with Laud to introduce. Representations, exaggerated as usual in cases of indistinct alarm, were widely spread, and publications suited to rouse and keep alive a spirit of watchfulness, and a preparation for resistance were everywhere diffused. In the meantime, the conduct of government appeared wavering. The day which had been intimated for the commencement of the new mode of worship, was allowed to elapse, either through the means of Hope, the king's advocate, who was friendly to the Presbyterians, or the anxiety of the bishop of Edinburgh, who wished to prevent the introduction of the liturgy, and did all in his power to obstruct its publication, or by the fears or mismanagement on the part of those to whom it was intrusted. But whatever were the reasons for delay, the time was sedulously improved by the Presbyterians. They impressed upon the public, an idea of the weakness of government being the cause why the king's mandate had been suspended, and they urged on the nobles, the necessity of strenuous and united exertion. Some of their leaders came to Edinburgh as early as April, to concert measures, and arrange those plans of procedure, which enabled them to seize and wield with so much efficacy, all the power of the state.

The crisis was hastened by private interest and revenge. Spotswood, anxious to obtain the whole tithes of the abbey of St. Andrews, was preparing to fix the salaries of the clergy in the diocess, and to render them each payable in his respective parish, independent of the general amount of the tithes in the diocess, which had hitherto been available, to make up the deficiencies of particular districts, where the

tithes had been rented at a low rate, or alienated. By this allocation of stipends, the primate would have greatly augmented his own income, and lessened that of those who held the tiends in tack, and of the titular, who had let them. The duke of Lennox, who was deeply interested in this scheme, for he had received money from the tacksmen in advance, perceiving that the credit of his house would be affected by it, applied to Traquair, the treasurer, and he, still irritated at the prelates for their attempt to drive him from office, procured a warrant to suppress the commission of tithes. The chancellor, enraged at his loss, and the failure of his scheme, determined to go to court to represent his wrongs to the king, and the archbishop of Glasgow, who had experienced a similar disappointment, sympathizing in his chagrin, resolved to accompany him. But, in order to render their visit agreeable to his majesty and Laud, they wished to carry along with them the first intelligence of the introduction of the liturgy, and thus they who had hitherto been most averse, became suddenly most anxious to make the attempt. An order for its immediate observance, was therefore procured from court, and the bishops and ministers of Edinburgh, were commanded to intimate on the Sabbath preceding, [July 16th,] the king's will, that the Scottish liturgy be read in all the churches next Lord's day. The mandate was published by all the ministers, except Mr. Andrew Ramsay, who steadily refused.

During the week, the town was kept in a state of constant agitation by discussions and pamphlets, condemning the proceedings of the prelates, to whom the proclamation was imputed, while they haughtily refused, from an ill placed confidence in their own strength, to use any means for soothing the discontent, or silencing the murmurs of the people by explanations or arguments; nor did they make any preparations to prevent a disturbance, or quell it if any should occur, by applying in time for the aid of the civil power. On Sabbath, the 23d of July 1637, the memorable experiment was made. The bishop of Argyle officiated in the Greyfriars' church in the forenoon, where the service met with no other interruption than groans and lamentations. The dean of

Edinburgh was not so fortunate, he performed in St. Giles', the cathedral, where the lord chancellor, lords of the privy council, lords of session, magistrates of the city, and an immense crowd, attracted by curiosity, assembled. The congregation, however, remained quiet, till he appeared in his surplice, and began to read the service, when an old woman, JANET GEDDES, moved by a sudden burst of pious indignation, exclaimed, "Villain, dost thou say Mass at my lug!" and made the stool on which she had been sitting, fly at his head. This signal had been no sooner given, than those who sat next her followed the example, and in an instant, the confusion was universal, the service was interrupted, and the women, whose zeal was the most conspicuous on this occasion, rushed to the desk in wild and furious disorder. The dean left his surplice and fled, glad to escape in safety out of their hands. Lindsay, bishop of Edinburgh, then ascended the pulpit, and endeavoured in vain to allay the ferment. He entreated the people to reflect upon the sacredness of the place, the duty they owed to God and their king, but his address only inflamed them the more. He was answered by a volley of sticks, stones, and whatever missile came readiest, and had it not been for the timely interference of the magistrates, the bishop might have fallen a martyr to the new ritual. With difficulty the most outrageous of the rioters were excluded, and the doors barred, after which the dean ventured to resume, but the violence of the multitude without, who assaulted the doors, and broke the windows, crying out, "A pope! A pope! Antichrist! Pull him down! Stone him!" drowned the voice of the reader, and the service terminated in dumb show. It was dangerous for any of the bishops to appear in the streets, especially the metropolitan, who was a particular object of popular hatred. When he left the church, he took refuge in a staircase, whence he had been rudely dragged, but for the interference of the servants of the earl of Wemyss, who rescued him from his perilous situation. The privy council met with the magistrates between sermons, and such precautionary steps were taken, as ensured the peaceable performance of divine service in the afternoon, in the several churches. But the tumult had not subsided in the

streets, and an armed guard was necessary to protect the bishop, who was conveyed from St. Giles by the earl of Roxburgh in his coach. This tumult, unparalleled since the Reformation,\* was the natural consequence of a sudden and unexpected impulse being given to long suppressed feelings, like a spark communicated to a well prepared train, and was entirely confined to the lowest of the people. No citizen of respectability was implicated in it, nor did it appear from the strictest examination of those who were apprehended, that it had been the result of any preconcerted plan. †

Next day, the city continued in a state of commotion, to put down which, the privy council issued a proclamation, prohibiting all tumultuous meetings in Edinburgh, under pain of death, and enjoined the magistrates of the city to use their utmost endeavours to apprehend the rioters of the former day, and some six or seven servant girls were put in prison. The town, in consequence of the disturbance, was laid under an Episcopal interdict; no preachings nor prayers were allowed upon week days, because the ministers would not comply with the liturgy, and as the form of religious service appeared to these high ecclesiastics, of more consequence than the service itself, all public worship was suspended during the Sabbath. The chancellor, who had proceeded in this affair without consulting the council, immediately sent off by express to court, an exaggerated representation of the disturbance, in which he laid the chief blame of his own precipitancy on their shoulders, especially on the treasurer, for his absence from church. The council, who were displeased at his separate despatches, extenuated the affair, represented it as an inconsiderable tumult, and accused the bishops themselves as being, by their rashness, the authors of all the unpleasant circumstances that had occurred. The magistrates of Edinburgh—all of whom except the lord provost, were suspected of favouring the popular cause—as they were responsible for the peace of the city, wrote a humble letter to Laud, to deprecate his displeasure, and entreat his good offices with the king, expressing their deepest

\* Baillie, vol. i. p. 5.

† Burnet's Mem. p. 32. Maitland's Hist. p. 71.

regret for the unhappy disturbance, reminding him of their former loyalty and good behaviour, and promising unreserved obedience in future.

In the midst of the ferment, the prelates proceeded to other unadvised attempts. They proceeded to enforce the former mandate that every parish should be provided with two copies of the liturgy. The charge was executed by the chancellor, against Alexander Henderson, the minister of Leuchars, James Bruce, minister at King's Barns, and George Hamilton, minister at Newburn; and by the archbishop of Glasgow, against all the presbyters of his diocess. Henderson, who was possessed of very superior talents, accompanied by that firmness, which enables a man to rise in times of public commotion, had originally been attached to the Episcopalians, but was proselyted to the cause of Presbytery, by a sermon of Bruce's, and ever remained steadily attached to his adopted profession, but with a moderation unhappily not then common to either party. When the time allowed in the charge had nearly expired, he presented a supplication to the privy council, in name of himself and brethren, praying for a suspension of the charge. Because, the new service was neither warranted by the authority of the general assembly, nor by any act of parliament, while the liberty of the church, and her form and worship, had been settled and secured by several statutes. Because, as an independent church, her own ministers were the fittest judges of what was necessary to be corrected, and in this book, some of the main ceremonies had originated disputation, division, and trouble, from their near approach to those of Rome; besides, the people, who had ever since the Reformation been taught otherwise, would not consent to receive the new service, even although their pastors were willing. \*

Petitions of similar import, but entering more into argument and detail, were presented from members of the three presbyteries, Irvine, Glasgow, and Ayr, recommended by letters from several of the noblemen, and supported by the personal application of a number of gentlemen, to the individual

\* Rushworth, vol. ii. p. 395.

members of the council. The bishops expected that the supplications would have been rejected, and some exemplary punishment inflicted on these concerned in the late tumults, but were exceedingly disappointed, when the council appeared favourable to the petitioners, and declared that the charge required only the purchase, but not the use of the service book. In order to reimburse the king's printer, the books were ordered to be bought, and, to satisfy the suppliants, the order for reading the liturgy was suspended, till new instructions were received from the king. In their representation to the king, the council informed him of the increasing aversion to the liturgy, which now began to be shown by numbers who had not hitherto exhibited any symptoms of dislike; that it had spread so widely, and the murmuring was so general among all ranks, beyond whatever had been heard in the kingdom, that they durst no longer conceal it; and conceiving it a matter of such high consequence, the end whereof it was impossible to foresee, they neither durst investigate the causes farther, nor attempt to prescribe any remedy, till his majesty, after being fully informed upon the subject, should be pleased to direct them, and they suggested, that some of the privy council should be called to London, to give this information.

The vacation of the courts, and the approaching harvest, emptied the metropolis, and for some weeks a calm succeeded. The parties were not, however, idle; the opponents of the liturgy, acquiring more boldness from their rapidly accumulating numbers, became active in proportion as the hopes of success increased. The bishops, roused at length by the note of preparation, which resounded on every side, made some ineffectual attempts to counteract the exertions of the popular declaimers. They now began to defend and explain the service book in their discourses; but it was too late; their discourses were interrupted by clamour, and their persons exposed to insult. Mr. William Annan, minister of Ayr, by desire of the archbishop of Glasgow, preached at the opening of the synod. His sermon was a plausible and ingenious apology for the use of forms of prayer and a liturgy. The majority of the synod were displeased and silent, but at the dismissal,

Mr. Annan was followed by hootings and opprobrious language, and the presence of the magistrates scarcely preserved him from the manual vengeance of a number of women,\* who were foremost in the fray. During the day, whenever he appeared, he was followed by threats; but at night, about nine o'clock, having ventured out in the dark, to pay a visit to the archbishop, he was again beset by the ladies, now amounting to some hundreds, who attacked him with their fists, switches, and peats, but no stones; tore his coat, ruff, and hat to pieces; and after thrashing him soundly, dispersed. No inquiry was made into this riot, as several of the heroines were understood to belong to the first families in the town.

The king, who had had an opportunity presented him of retracing, without dishonour, his arbitrary and ill judged steps, allowed it to pass, and lost it for ever. He returned a severe and reproachful answer to the representations of the council, accused them of cowardice, and blamed their lenity, and the inactivity of the magistrates of Edinburgh, as the cause of the whole; disapproved of the intermission of the new service, and ordered it to be immediately resumed; while he rejected their reasonable request to send for some of their number, that he might obtain an accurate account of the state of the country. The city of Edinburgh had, in a former letter from his majesty, been ordered to choose Sir John Hay, clerk register, as their provost, with which mandate they had complied. He anew set aside the chartered rights of all the other burghs, and commanded them to choose no persons as their magistrates, except such as would conform to the new service.

Before the receipt of this injudicious letter, sixty-eight new supplications had been laid before the council, and twenty noblemen, a large proportion of gentry, and eighty commissioners from towns and parishes, were waiting its arrival. When the contents of the letter was published, the supplicants were far from being inclined to obey its injunctions. They replied, by embodying their numerous petitions into one joint supplication, praying that they might have liberty to state

\* Baillie says, about forty of our honestest women, vol. i. p. 3.



their complaints, and assign their reasons before the obnoxious service was finally enforced. This was presented to the council by the earls of Sutherland and Wemyss, in name of the nobility, barons, ministers, and representatives of burghs; and the duke of Lennox, who had brought down the letter, and had been a witness to the extraordinary scene, expressed his astonishment, and assured the petitioners that his majesty must have been misinformed. The general supplication, with a selection of the petitions from those places which had been represented as most favourable to the innovations, were transmitted by Lennox, who was requested to explain to his majesty the difficulties with which the privy council were surrounded, to assure him of their zeal in his service, and request precise instructions for their government.

The magistrates of Edinburgh, influenced by their new provost, were forced to give their reluctant support to the measures of the prelates, and seem at least to promote the introduction of the liturgy. By his command, a meeting of the town council was held in the tolbooth, [22d September,] which the people being apprized of, and dreading that they were concerting means for re-introducing the obnoxious service, assembled in great numbers, and rushing into the chamber where the council was assembled, obtained a promise that they would join the suppliants, and that the city would be among the last places troubled with the book. In compliance with their promise, a petition was presented to the privy council, by the baillies and council of the city, expressing their willingness, according to their powers, to contribute their best endeavours to promote his majesty's service, and the peace of the city; but stating, that the great resort of nobility, gentry, and divers ministers, had so alienated the minds of the people from the "said buik," that they could not promise for the conduct of the citizens in future, and therefore besought the council to urge nothing upon them, more than was practised by the rest of the country, nor make them "anie opprobrie to the rest of the kingdom." Yet such was their terror for Laud, that they deemed it necessary to explain to him the reasons for their conduct, and beg his intercession with his majesty, that they might be still kept in

his favour. The reasons they assigned were such as should have made the archbishop pause; but a superstitious zeal for trifles, when it assumes the garb of doing God service, is not only a furious, but an obstinate and unconvincible passion. They told him of such an innumerable confluence of people from every corner of the kingdom, both clergy and laity of all degrees, and such a complete alteration in the public mind, that they were unable to stand out alone against the sense of the whole country. The appalling facts made no impression upon his grace, and the king was never known to recede from his purpose, till his concessions had lost all merit.

The proceedings in Scotland had hitherto been in a great measure insulated, and although originating from similar causes, and in some instances simultaneous, had not been the result of concert or combination. We are now approaching a period when they were to assume a different appearance; when the popular movements were to be connected with wisdom and unity of plan, and energy and success of execution. But this was accompanied with a revolution of habits and manners no less remarkable, which gave a stamp to the national character not yet entirely eradicated. The fathers of the reformation were peculiarly anxious for the instruction of youth, and strongly recommended the planting of schools, and the erection of universities of learning; and but for the interruptions their patriotic schemes met with, first from the rapacity of the nobles, who seized upon the funds which should have endowed their seminaries, and next from the unceasing controversy about church government, and their incessant struggles to preserve their liberty, both civil and ecclesiastical, instruction would have been placed within the reach of the lowest individual in the kingdom. As it was, the assiduity of the ministers, when suffered quietly to exercise their functions in their respective parishes, diffused a degree of knowledge upon Scriptural subjects, which gave a general tone to the public mind, and by affording it exercise in abstruse speculations, sharpened its faculties where it did not subdue its passions. Men then, as now, were capable of perceiving and debating upon the doctrines of the Scriptures, whose knowledge had little effect upon their moral conduct. The natural

consequence was, that when, from fashion or political motives the people assumed an outward garb of sanctity, many must have been hypocrites; but it is equally plain, many, or a majority, must have been sincere, and all having been taught by the same masters, would naturally speak the same language, however different the regulating principles of the soul, or tenor of the practice. The ministers, who knew this, and who, conscientiously attached to the Presbyterian church government, because they thought it most consonant to the Scriptures, were aware that the most fiery zeal for a form might exist among men who had no regard for religion, but that it would soon wax cold in adversity; they were therefore anxious to fix principles in their minds, to inculcate the necessity of private, personal devotion, and the rigid adherence to individual rectitude of conduct, as the only unequivocal marks of real attachment to the public cause of their church and country. They were incessant in their labours in private, their exhortations were frequent, and their watchfulness over their flocks unremitting; and their public ministrations, even when a political subject was the theme of their discourse, were remarkable for pointed appeals to the conscience and to the heart, and warm exhortations to amendment of life.

When the supplicants were in Edinburgh, after the king's letter had damped their first hopes of relief from the court, some of the leading ministers, Henderson, Dickson, and several others, in consulting together upon the state of the times, drew up, "Considerations for such as lay to heart the danger of this intruded liturgy," &c. and as they exhibit the manner in which the ministers dealt with the people, and the means they recommended so effectually to recast the nation in the puritanical mould, they deserve notice. After a confession of the sins of the people and the ministers, they prescribe the remedies—union and love among each other; "that every person should deal impartially with their own personal faults, and repent and cleave unto our offended Lord Jesus, with purpose of employing him in all things in another sort than we have done; that every man deal with his charge, friendship and acquaintance, to take religion more to heart, and to bring forth fruits of it, and not to be ashamed to profess Christ

Jesus and his holiness, and to bear his reproach ; that the knowledge of Scripture, and the grounds of religion and controversies, be better studied, and more mixed with prayer for sound light, and accompanied with more careful practice of incontroverted truth ; that every man acquaint himself with secret prayer to God ; masters of families to constantly worship God with their families, and let the reading of the Scriptures be joined with morning and evening prayer." The people received with avidity the exhortations of men who they saw exemplifying in their own practice the precepts they inculcated, and persecution, as it always does in cases of religion, gave a factitious importance to the minute observance of duties, accompanied by danger, or exposed to ridicule or contempt. To prevent their exhortations from being obliterated, frequent fasts were enjoined, congregational or universal, when similar topics were insisted upon. A strict observance of the regulations of the church was made a condition of admittance to the communion, and a dread of being debarred from that ordinance, operated as a strong and powerful guard on the general conduct of a people, to whom a refusal would have been the deepest affliction, and the sorest affront. To all this was added, the mighty effect produced by the solemn renewal of the covenant, with the contents of which every individual was carefully instructed, and to which attachment was daily inculcated ; and the combined effects of private and public exhortations, enforced, besides, by the piety of some, and the policy of all the nobility, tended to form a nation fitted to endure persecution, rather than relinquish their rights, and finally to secure for their posterity privileges dearly purchased—now too lightly esteemed—but, at the same time, imprinted a gravity and sobriety of manners, which, however compatible with the highest mental and social enjoyment, assorted ill with the frivolous gayety and licentious mirth that flooded the realm when Charles II. was restored, and which, but for the stern bulwarks they opposed to the baneful tide, would have laughed these kingdoms at once out of their morality and their freedom.

No answer was expected from court to the supplications before November ; but information being given to the city of

Edinburgh, that it would be returned by the 18th October, the leaders of the supplicants who were in town, afraid that some design was in agitation to divide the capital from the country, despatched expresses everywhere, recommending a full attendance of the suppliants in the city, on the day the privy council was to meet to receive it. As the harvest was now finished, the call was universally attended to, and, besides a large increase of noblemen, there was hardly a shire south of the Grampians that did not furnish numerous deputations of gentlemen, ministers, and burghers, to swell the crowds who were attracted to the capital. In the course of one or two days, the clerk of the council received two hundred dollars—no inconsiderable sum in these times—the fees of two hundred supplications, presented from as many parishes. A favourable answer might even at this crisis have restored tranquillity to Scotland, and secured the bishops from overthrow. The assembled multitudes divided to discuss their complaints—the nobles in one body, the ministers in another, and the commons in a third; but the only question agitated in these meetings was the liturgy. Had it been withdrawn in a frank, conciliatory manner, or any assurance given on which they could rely, the people would have been satisfied; but while the supplicants were employed in putting into shape their objections to the service book, they were interrupted by the intelligence, that they were all ordered to quit the city within twenty-four hours, and the privy council, and courts of law, to remove to Linlithgow. To these two proclamations was added a third, prohibiting the circulation of a pamphlet, entitled:—*A Dispute against English Popish ceremonies* \* obtruded on the Church of Scotland;” ordering all who possessed copies to bring them to be publicly burned, and denouncing punishment against any who, after the intimation, should have it in their possession. The intention of the first proclamation was evidently to disperse and disunite the supplicants; it produced a more indissoluble bond of union. When the emotions of astonishment and rage to which it gave rise had subsided, they determined to refuse obedience, or to sep-

\* Written by the celebrated George Gillespie, then minister of Wemyss.

arate, till they had established a rallying point; which they accomplished by framing an act of accusation against the bishops, as the authors of the liturgy and canons, and of all the troubles that had arisen, or were likely to arise, from their introduction. In the Book of Common Prayer, they affirmed, the seeds of superstition, idolatry, and false religion, were sown, and false doctrine, contrary to the true religion, established. In the canons they complained that the constitution of the church was subverted, abolished superstition and error revived, and a door opened for whatever further innovations of religion the prelates pleased to make, all which were imposed contrary to order of law, and their acceptance urged by open proclamations, and charges of horning, the supplicants being thereby reduced either to suffer the ruin of their estates if they refused, or fall under the wrath of God, for breach of covenant, if they obeyed these illegal injunctions. Wherefore, being persuaded that these proceedings were contrary to the pious intentions of their gracious sovereign, and calculated to create dissension between the king and his subjects, and between subject and subject, they complained against the prelates, "humbly craving, that this matter may be put to trial, and they taken order with, according to the laws of the realm, and that they be not suffered to sit any more as judges, until this cause be tried, and decided according to justice." The accusation was instantly subscribed by twenty-four noblemen, several hundreds of gentlemen, ministers, and representatives of boroughs, and within a short time by all ranks, and every corporation in the kingdom, except Aberdeen, where the power of Huntly predominated.

\* The second proclamation, instead of terrifying, exasperated the citizens of Edinburgh. They assembled tumultuously in great numbers, surrounded the place where the town council was assembled, and demanded that the provost and council would appoint commissioners, to join with the rest of the country in their supplication and complaint; that they would restore their ministers, Rollock and Ramsay, with Henderson, a reader, who had been suspended from their offices, \*

\* On the morning of the Sabbath, on the forenoon of which the liturgy was introduced in St. Giles's, Henderson read the usual prayers—about eight

and plainly intimated, that unless their demands were complied with, the magistrates would not escape with their lives. The magistrates, who possessed no power for resistance, if they had wished it, granted all that was desired, nominated commissioners to concur with the other supplicants, and subscribed an act, recalling the suspended ministers.

Elated with their success, the crowd was dispersing in triumph, when their attention was unfortunately attracted by Sedserf, bishop of Galloway, who was currently reported to wear a crucifix of gold beneath his coat. He was immediately saluted with loud execrations, and the women proceeded from abuse to tug and draw the poor bishop, and were about to strip him, to detect, if they could, the concealed image, when some gentlemen interfering, partly by entreaty, and partly by expostulation, effected his rescue, or rather enabled him to extricate himself, and flee for refuge to the privy council. The mob, when they perceived that during the parley the bishop had escaped, grew more furious, and fairly blockaded the council chamber, demanding with violent menaces, that he and the provost should be delivered up to them. The earls of Traquair and Wigton, as soon as they were informed of the situation of the bishop, hastened with their followers, to attempt to relieve him, but having succeeded in getting into the privy council-room, they found themselves in as perilous a situation as him they came to deliver; for the fury of the mob increasing with their numbers, threatened to break into the place, and inflict a cruel vengeance.

In this unpleasant predicament, they made application to the magistrates, but the magistrates, themselves surrounded, could afford them no assistance. Traquair and Wigton, perceiving that nothing was to be expected from the magistrates, resolved to venture out, and try whether by authority or persuasion, they could not prevail on the multitude to disperse; but finding the multitude quieter in consequence of the concessions of the magistrates, they, after consulting with them,

o'clock—and when he had ended, he, by way of farewell, said to the auditors, Adieu, good people, for I think this is the last time of my reading prayers in this place. This was the offence for which he was turned off. Maitland's Hist. p. 71.

agreed to return to the privy council, while the baillies should endeavour to pacify the people; but no sooner had they set out upon their return, than they were assailed with vehement cries of "God defend all those who will defend God's cause," and "God confound the service book, and all maintainers thereof." In vain the two noblemen employed entreaties and promises; the treasurer, who was most disliked, with difficulty, and through the exertions of his friends, but with the loss of his hat, cloak, and white staff, reached the council room, whither he was soon followed by the magistrates, who told the privy council, that though they had done every thing to appease the mob, and secure their lordships, it was not in their power to reduce the people to obedience. In this dangerous conjuncture, they determined to send for some of the nobles, who were engaged in preparing their petition against the service book, and request them to try their influence with the people. The lords instantly despatched some of their number, to endeavour to conduct the imprisoned council safely home. At their appearance, they were received with distinguished marks of respect, nor was there the smallest insult offered to any of the hated individuals, while under their protection. At their entreaty, the populace retired to their homes, and the counsellors returned in safety to Holyroodhouse.

In this last tumult, the leaders were not as formerly, obscure individuals, but the principal citizens and their connexions, persons, who in all probability, would have remained quiet, or at least not encouraged such outrageous proceedings, had not their passions been inflamed more by the prospect of their own personal loss, in the removal of the seat of government, and the courts of justice from the city, than even by their abhorrence of the liturgy, but who seized this as a more popular pretext for wreaking vengeance on those whom they considered as the authors of the mischief, than if they had made the wrongs done the city the watchword of the rioters. The privy council met in the afternoon, and issued a proclamation, prohibiting all assembling of people in the streets, and all private meetings, tending to faction and tumult; but on the representation of lord Loudon, they allowed the nobles to remain in Edinburgh, four and twenty hours longer, and



agreed, that all who could show that their private business required a farther dispensation, should receive a similar indulgence. They refused, however, to receive their complaints, as they were interdicted by the king, from intermeddling with any ecclesiastical affairs. With this answer, the lords declared themselves satisfied. In the evening, a numerous meeting of the leaders of the supplicants was held at lord Balmerino's lodgings, where the first regular steps were taken for consolidating the opposition to the court, and the project of the famous committees, the TABLES, was first started. \* Lords Balmerino and Loudon made eloquent and impressive speeches, recommending perseverance in pursuing their object—"the banishing of the liturgy," and a resolution was passed, "that they would make the best use that wisdom and diligence could, of every occasion as it presented itself, to get free of the detested books." But the most important resolution was, that they should meet again, in as great numbers as possible, on the 15th November, to wait on the answer to their prior supplications, to present their new ones, and to do farther, as circumstances might require.

According to proclamation, the privy council and court of session, assembled at Linlithgow, and were constituted in the palace. It was, however, so much out of repair, and the accommodations in the town were so miserable, that the writers and advocates could not attend, and the court was adjourned to Stirling.

The proposed meeting of the 15th had been announced from all the pulpits, and the concourse to Edinburgh was much greater than on the former occasion. It was strengthened by a new accession of nobles, among whom, the earl of Montrose, who had just returned from his travels, and was esteemed one of the most promising young noblemen in Scotland, shone conspicuous. He was reckoned a great acquisition to the party, and his ardour in the cause had been stimulated by the cold and forbidding reception he had experienced at court. The privy council also came to the capital, to watch their motions. Surprised at the great increase

\* Baillie's Letters, p. 22.

the petitioners, the earls of Traquair and Lauderdale, with Lord Lorn, wrote to the nobles of the popular party, and endeavoured to persuade them, that their meeting so often, and in such numbers, was illegal and disorderly. The noblemen, who were prepared to take advantage of every circumstance, replied, that the supplicants had at this time so arranged themselves into separate companies, and kept so close within doors, that their numbers could occasion little disorder; that the contents of their last petition were so important, that they were anxious his majesty should be acquainted with them, and being of public moment, as all the lieges had an immediate concern, both in concurring in the supplications, and in waiting for the answers, their attendance was justifiable by reason, law, equity, and custom; and, that the late king, whose wisdom was undisputed, had laid it down as an incontrovertible axiom, when the religion or king was in danger, the whole commonwealth should move at once, not as divided members, but as an undivided body. But, at the same time, as the redress of their grievances was not likely to be speedily accomplished, they expressed their willingness, in order to avoid giving offence by the greatness of their numbers, to choose a few of the nobles, two gentlemen of each shire, one minister for each presbytery, and one burgess for each burgh, as commissioners for the whole, to prosecute the accusation of the prelates, and await the result of their applications to the king.

The council, afraid of any new commotion arising from the numbers assembled in the city, agreed to the proposal, and unwittingly established a new power within the state, famous in the sequel of this reign; under the name of the *Tables*, a designation which originated in the division of the commissioners into separate bodies or tables. As it would have been inconvenient for the whole tables to attend constantly, a standing committee of four from each table was appointed to reside in Edinburgh, with instructions to convoke the whole upon any extraordinary occurrence. A council, and regular subordination thus established, the promiscuous multitude retired peaceably to their homes, to await the orders of their leaders, among whom the earls of Rothes and Montrose,

and lords Lindsay and Loudon, were the most active and the most confided in. At length Roxburgh, lord privy seal, who had gone to court after the disturbances in October, returned with despatches for the council. Their purpose was announced in an ambiguous proclamation. "His majesty, in a just resentment of that foul indignity, [the tumult of the 18th October,] had been moved to delay the signification of his gracious intentions, in giving to his subjects such satisfactory answers to their petitions, [presented in September,] as in equity might be expected from so just and religious a prince." "Yet his majesty was pleased, out of his goodness to declare, that as he abhorreth all superstitions or popery, so he will be most careful, that nothing be done within his dominions, but that which shall tend to the advancement of true religion, as it is at present professed within his most ancient kingdom of Scotland, and that nothing is, or was intended to be done therein, against the laudable laws of his majesty's native kingdom."

Whenever parties in any negotiation became suspicious of each other, the most explicit declarations are apt to be cavilled at; but the phrases, "true religion," and, "as presently professed," had been tortured so often into terms to suit the views of the dominant side, that they had now become justly dreaded, as at best equivocal. His majesty, it was said, considered the pomp and ceremonies of the church of England as the true religion, and the prelacy brought into Scotland, in opposition to the will of the people, as that presently professed, and as to his intending nothing against the laudable laws of his native kingdom, his whole reign in Scotland had been one series of aggressions against the laws; but while these were the private opinions of many of the Presbyterians, their leaders, in public, dexterously chose to treat the declaration as conveying his majesty's real sentiments, and as expressive of his aversion to the late innovations, the whole blame of which was thus thrown upon the prelates. Besides his public, Roxburgh brought secret instructions, to tamper with the nobles separately, and endeavour to buy over, or to divide them.

. Traquair and the privy seal, having invited a number of

he nobles to a conference in Holyroodhouse, they came attended by a deputation from the commissioners. The condescension of the king, and the gracious assurances that he had given in his late proclamations, of his entertaining no designs against religion, were expatiated upon by the treasurer, who also represented, that as the liturgy was by the same deed virtually suppressed, they ought to rest satisfied; but the demands of the supplicants were not now limited to the simple recalling of the service book, they began to feel their advantages, and determined to improve them. The book of Common Prayer, might, to answer a purpose, be withdrawn for a time, they therefore insisted, that it should be as publicly and formally revoked, as it had been imposed. The canons, which were entirely subversive of church discipline, they would not any longer consent to tolerate, nor would they ever cease to seek relief from that iniquitous court, the high commission, which endangered their liberties, and was introduced not only without, but in opposition to all law. The treasurer observed, that however just their requests might be, or however desirable to have the evils complained of removed, they ought to recollect, that it did not become them to dictate to a king, the time and the manner in which he should grant their petitions. At the same time, he warned them to beware of taking too high ground, least they, by aiming at too much, should spoil all, and by pushing their accusations against the bishops to an unreasonable pitch, should procure their firmer establishment, instead of their fall. To this the commissioners replied, they were certain, that they would long ere now have obtained redress from the king, had he been truly informed of the nature of the books, or the tendency of the other innovations.

The high officers then requested, that to prevent confusion, or any appearance of unlawful combination against authority, each county should petition separately, and at different times. The supplicants, who saw the drift of this proposal, resolutely refused to disunite, and on the first meeting of council, proceeded to Dalkeith in a body, with a joint petition. The council, who were extremely unwilling to receive them, contrived for several days, to put off their admission, till wearied

out with excuses, they beset the council house. Several of their number, attended by a notary, at each door, with protestations prepared against the denial of justice, and the refusal to receive their petitions; against the archbishops and bishops being allowed to sit as judges, while they were under accusation; against they themselves, or any who joined them, being liable to any penalties for not observing rites and ceremonies, or obeying judicatories, which had been introduced in the face of the acts of general assemblies, and the statutes of the kingdom; and against any disorders or disturbances, which might be occasioned by pressing the innovations, or refusing their supplications, being imputed to them who had hitherto behaved quietly, and only sought reformation in an orderly way. The counsellors, acquainted with the nature of the protest, prevented its presentation, by appointing a day on which they would grant them a hearing, and receive their representations.

On the 21st December, the deputies appeared before the privy council, now composed only of lay members, the prelates having withdrawn. Lord London presented the accusation, and in a long and temperate speech, enumerated and enforced the complaints of the supplicants. In conclusion, he declared that they had no desire for the bishops' blood, nor for any revenge upon their persons, they only craved, that the abuses and wrongs done by them, might be truly represented to his majesty, the evils they had occasioned remedied, their recurrence prevented, and the power which they had so much abused, properly restrained. After his lordship, some of the other deputies spoke shortly, but warmly, and their speeches were observed to affect some of the counsellors even to tears. When they were ended, the officers of state exhorted the ministers to instruct the people to be loyal to the king, and not to speak unfavourably of his religion, to which Mr. Cunninghame, the minister of Gannock, replied, "Our consciences bear us witness, that we endeavoured to carry ourselves suitably in this respect, neither had we ever a thought to the contrary, but his majesty was wronged, after the manner that king Ahasuerus was wronged by Haman, and we are looking to see the way of the

Lord's righteousness in his appointed time." The lords of the council assured the deputies before they parted, that they were deeply interested in the cause, but as they were expressly prohibited by the king from intermeddling more in the controversy, they requested them to wait till they received his majesty's instructions.

The council, placed in a perplexing dilemma by the threatening aspect of affairs in Scotland on the one hand, and the dread of his majesty's displeasure on the other, were desirous that some of their number should repair to court, and lay before the king, a plain exhibition of the real state of the country. Roxburgh and Traquair were both equally willing to undertake the ungracious service. Traquair was preferred by Charles, and summoned to London. Unfortunately, the treasurer was suspected of being inimical to the bishops, and secretly attached to the cause of the supplicants; his representations of the strength of the malecontents, and of the distracted state of the country, were, in consequence, supposed to be overcharged, and his recommendation to withdraw the liturgy was disregarded. Spotswood too, the president of the court of session, son of the archbishop, counteracted his endeavours to undeceive the king, but the chancellor himself is said to have turned the balance against the supplicants, by an ominous example taken from the domestic history of his grandmother, who, by declaring the murderers of Rizzio traitors, broke asunder the bond of the confederated nobles, and forced them to seek refuge in exile. The king, either persuaded that a similar procedure would in the present instance have a similar effect, or, what is more probable, instigated by the rash, unyielding bigotry of Laud, transmitted by Traquair a proclamation, under an oath of secrecy, in which he declared, that the bishops were unjustly accused of being the authors of the service book and canons, as whatever was done by them, was by his majesty's authority and orders; that he had diligently examined these books, and after the most careful perusal, had found nothing in them that could be prejudicial to the ancient laws, or the religion received in Scotland, but on the contrary, was persuaded they were very well calculated for promoting solid piety, and preventing the

growth of popery, his abhorrence of which was sufficiently evidenced by his daily proceedings; that he condemned all the meetings of his subjects, that had been kept for exhibiting any petitions against these innocent books, and the bishops the promoters of them, and all subscriptions by any of the lieges, of whatever rank, for that end, as manifest conspiracies for disturbing the public peace; yet he was ready to forgive what was past, provided such practices were religiously abstained from in future, and he forbade all meetings of that kind in time to come, under pain of rebellion.

Upon Traquair's arrival in Edinburgh, he was waited upon by several of the nobles, to hear what answer the king had returned to their supplications, but all they could learn from him, after numerous evasions, was, that there would be a necessity for avoiding such numerous meetings as had lately taken place at Edinburgh, else the council would be obliged to prohibit them. Their secret intelligence, however, supplied the deficiency, and before the treasurer could execute his commission, the alarm had been given to the whole body of supplicants. A meeting of the privy council was to be held in Stirling, to whom the despatches brought from London were to be produced. The supplicants throughout the whole country were notified of the circumstance, and ordered to attend for the preservation of their leaders, and their obedience was stimulated by a report, that it was the intention of the privy council to imprison the earl of Rothes, and the lord Lindsay.

The officers of state, who were in Edinburgh, perceiving the magnitude of the preparations, attempted to prevent such an assemblage, by sending for part of the committee of the tables, who were in the city, and dissuading them by every argument in their power, from such a resolution. "They represented to them, that if they had followed their advice, and petitioned each class and county by themselves, and had they confined their complaints to the removal of the Book of Common Prayer and the Canons, there could have been little doubt of success, and having once obtained this, it would have been then an object of consideration, how far they should proceed in asking redress of other grievances, or in accusing

the bishops, as by asking too much, they put all to hazard, and it was not to be imagined that his majesty would ever consent to put one of his estates under subjection to them." The committee answered, they could not rely upon any unauthorized assurances, till their complaints against these particular grievances had been listened to; for, if their accusations against the bishops, the origin of all their evils, and a root naturally productive of such pernicious fruits, were afterward refused, the people must continue to groan under the worst of their oppressions, and the supplicants to suffer the reproach of their credulity. The treasurer seeing them immoveable in their purpose, asked what course they intended to pursue when they assembled? They ingenuously told him, they intended to give in a declinature against the bishops, "but that will be refused," said Traquair. "Then, upon the council's refusal to do us justice, we will protest for remeid, and have immediate recourse to the king with our supplications." "But I doubt," added the treasurer, "if his majesty will receive your supplications." "We will, however, do our duty," the deputies firmly replied, "and commit the event to God, who is wise in counsel, and excellent in working, and sufficiently able to protect his own cause, and our just proceedings."

Secrecy on either side was now impracticable. Traquair saw that his instructions were known to the supplicants, and they made no attempt at concealing their own intentions. The council was to meet on Tuesday, and a few of the commissioners were appointed to set out early on Monday for Stirling—the rest to follow—in order to be upon the spot, and act as they saw necessary, but both parties were now on the alert, and not a movement was made by the one, but the other was immediately acquainted with it. Traquair, who had no other expedient to prevent the meeting, than accelerating the proclamation which forbade it, set out from Edinburgh along with Roxburgh, on Monday morning, a little after midnight, on purpose to have it published before the supplicants could be collected. They reached Stirling about 8 o'clock in the morning, and after waiting for about two hours in vain for the arrival of a sufficient number of the council, they, anticipating



their authority, proceeded to the Cross, and issued the proclamation. This manœuvre was of little avail; the tables, who had discovered the departure of the treasurer and privy seal, despatched lords Hume and Lindsay after them, who outrode them, and as soon as they announced the proclamation, the others were ready with a notary to protest, which they did with due solemnity, and after the official intimation was read, affixed their document to the market cross, a bold proceeding, repeated by them at Edinburgh, Linlithgow, and wherever the proclamation was published, and in the public opinion, this form was sufficient to suspend the operation, or legalize resistance to the royal mandate.

The situation of Charles and Scotland at this period was peculiar. The king had been guilty of the most flagrant acts of tyranny by his conduct in parliament, by the trial of Balmerino, by his contempt for the constitution of the country in arbitrarily enforcing the liturgy, without either act of assembly or parliament, and by his late proclamation, which thus deprived his subjects of their most undeniable, necessary, but lowest right, that of petitioning, under pain of treason, yet, he had prepared no force to support his despotic measures, he had concerted no plan for subduing disaffection, and trusted solely to the efficacy of his divine right, for extorting from his people all that was dear to them upon earth, their religion and liberty. The nation entertained still a reverence for their sovereign, and were willing to attribute his misgovernment to his advisers; but his duplicity and evasions, had already created suspicions of his sincerity, the discontent was general, yet respectful, but it was organized, and the king had provided leaders, whose personal injuries and affronts were not likely to render them less attached to the cause of the opposition, these were Balmerino, Loudon, Rothes, and Montrose.

In the meanwhile the course of justice was suspended; the baser sort began to take advantage of the anarchy, debtors refused to satisfy their creditors, and in the Highlands and the north, depredations and murders were perpetrated openly, and went unpunished.\*

\* Baillie's Letters, vol. i. p. 48. Spalding's History of the Troubles in Scotland, vol. i. p. 61.

The object of government was to disunite the supplicants, heirs to draw closer their bonds of connexion, and the latter, to defeat the intrigues of the officers of state and the prelates, who endeavoured to amuse them with delusive promises, that they would intercede with the king, get the liturgy and canons abolished, and the high commission modelled anew, adopted a judicious and decisive measure—the renewal of the national covenant. The origin of this solemn engagement may be traced to the earlier days of the Reformation, and it had frequently been resorted to in times of public danger, or when fears were entertained of the prevalence of Popery. During the administration of Arran, [vide p. 38,] it was sworn by the king and his household, and a confession of faith was annexed, in which the national confession of faith, as established by several acts of parliament, was acknowledged as their only belief; the errors of the church of Rome were minutely enumerated and solemnly renounced. This confession was retained in the present renewal; and in like form were abjured all the tyrannous laws of the Papal antichrist, made upon indifferent things against Christian liberty; his erroneous and corrupted doctrine respecting original sin, justification, &c.; his five bastard sacraments, with all his rites, ceremonies, and false doctrines, added to the ministration of the true sacraments, without the word of God; his blasphemous opinion of transubstantiation, his devilish mass and impious priesthood; his canonization of saints and invocation of angels; his dedication of churches, altars, and days; his consecrated water and prayers for the dead; his use of the cross and blasphemous litany; his numerous orders of priests; his worldly monarchy and wicked hierarchy, together with his cruel and bloody decrees made at Trent. A great number of statutes were then enumerated, which bore pointedly against the late innovations, and were as explicit as any human acts could be in favour of the presbyterian form of church government, and mode of worship. The enumeration concludes with a fair statement of that kind of loyalty which freemen are proud to acknowledge, and which they are ever the first to defend; a loyalty not attached to the mere name or trappings of kingship, but steadily devoted to a

constitutional monarch, whose sway is identified with that of the laws, and who acknowledges a reciprocal obligation on his part to be faithful to his trust.

This celebrated bond of union has been represented as a bond of sedition, and is believed such upon trust, by many who never perused it; I shall quote the passage:—“Like as all lieges are bound to maintain the king’s royal person and authority; the authority of parliaments, without which neither any laws or lawful judicatories can be established; and the subjects’ liberties, who ought only to be governed by the king’s laws, the laws of this realm alienarly, [solely] which if innovated or prejudged, such confusion would ensue, as this realm could be no more a free monarchy; because, by the fundamental laws, ancient privileges, offices, and liberties of this kingdom, not only the princely authority hath been these many ages maintained, but also the people’s security of their lands, livings, rights, offices, liberties, and dignities, preserved.” The whole closes with a declaration, implying that the articles of Perth, liturgy and canons, were virtually renounced in the confession of faith, and an obligation to resist these innovations, to defend each other, and support the sovereign in the preservation of religion, liberty, and law. It runs thus:—“We noblemen, gentlemen, burgesses, ministers, and commons, under subscribing, considering diverse times before, and especially at this time, the danger of the true, Reformed religion, of the king’s honour, and of the public peace of the kingdom, by the manifold innovations and evils generally contained, and particularly mentioned in our late supplications, do hereby profess, and before God, his angels, and the world, do solemnly declare, that with our whole hearts we agree and resolve, all the days of our lives, constantly to adhere unto, and defend the true religion, forbearing the practice of all novations already introduced in the matters of the worship of God, or approbation of the corruptions of the public government of the church, or civil places or power of churchmen, till they be tried and allowed in free assemblies, and in parliaments; to labour by all means lawful to recover the parity and liberty of the gospel, as it was established and professed before the said novations; and because, after due

examination, we plainly perceive, and undoubtedly believe, that the innovations and evils have no warrant in the word of God, are contrary to the articles of the foresaid confessions, to the intention and meaning of the blessed reformers of religion in this land, and do sensibly tend to the re-establishment of the Popish religion and tyranny, and to the subversion and ruin of the true, Reformed religion, and of our liberties, laws, and estates; we also declare that the foresaid confessions are to be interpreted, and ought to be understood of the foresaid novations and evils, no less than if every one of them had been expressed in the foresaid confessions, and that we are obliged to detest and abhor them among other particular heads of Papistry abjured therein; and therefore, from the knowledge and conscience of our duty to God, our king and country, without any worldly respect or inducement, so far as human infirmity will suffer, wishing a farther measure of the grace of God for this effect, we promise and swear, by the great name of the Lord our God, to continue in the profession and obedience of the foresaid religion; that we shall defend the same, and resist all those contrary errors and corruptions, according to our vocation, and to the uttermost of that power that God hath put in our hands all the days of our lives; and in like manner, with the same heart we declare before God and men, that we have no intention or desire to attempt any thing that may turn to the dishonour of God, or the diminution of the king's greatness or authority; but, on the contrary, we promise and swear, that we shall, to the uttermost of our power, with our means and lives, stand to the defence of our dread sovereign, his person and authority, in the defence and preservation of the true religion, liberties, and laws of the kingdom; as also to the mutual defence and assistance every one of us of another, in the same cause of maintaining the true religion, and his majesty's authority, with our best counsel, our bodies, means, and whole power, against all sorts of persons whatsoever; so that whatsoever shall be done to the least of us, shall be taken as done to us all in general, and to every one of us in particular; and that we shall neither directly, or indirectly, suffer ourselves to be divided or withdrawn from this blessed and loyal conjunction,

nor shall cast in any let or impediment that may stay or hinder any such resolution, as by common consent shall be found to conduce for so good ends; but on the contrary shall, by all lawful means, labour to further and promote the same; and if any such dangerous or divisive motion be made to us, by word or writ, we, and every one of us, shall either suppress it, or, if need be, shall incontinent make the same known, that it may be timeously obviated; neither do we fear the foul aspersions of rebellion, combination, or what else our adversaries, from their craft and malice, would put on us, seeing what we do is so well warranted, and ariseth from an unfeigned desire to maintain the true worship of God, the majesty of our king, and the peace of the kingdom, for the common happiness of ourselves and our posterity.” \*

This bond, which was only reverting to the principles recognized at the Reformation, and restoring the constitution then established, was represented by its enemies as an illegal compact against the king, as a bond of resistance to his just authority, and a treasonable association against the state. Were subjects only fettered by the ties of moral honesty; were their oaths of allegiance only binding, while kings were to consider their coronation obligations as unmeaning forms; were all usurpations on the part of power to be patiently endured, and every attempt on the part of the people to keep or to regain their rights to be deprecated, then the national covenant was a bond of sedition; but if, when every avenue to the royal ear is shut against the complaints of a whole people, if the right to petition be denied, and the very act of assembling to petition be treated as high treason, by proclamation and the instructions of the crown alone, if, in these circumstances, it be the natural duty of a people to pray the

\* The original copy of the covenant, subscribed at Edinburgh, was written on a very large skin of parchment, of the length of four feet, and depth of three feet, eight inches, and is so crowded with names on both sides, that there is not the smallest space left for more; and it appears that when there was but little room left to sign on, the subscriptions were shortened, by only inserting the initial letters of the covenanters' names, which the margin and other parts are so full of, and the subscriptions so very close, that it were a difficult task to number them.—Maitland's Hist. of Edinb. p. 86.

dismissal of obnoxious ministers, who give such treasonable advice, and when refused a hearing, to reiterate their supplications and to remain together till they command attention, then the principles of that covenant are in consonance with what has ever been recognized as the basis of rational freedom in limited monarchies. On the abstract question there can be neither doubt nor hesitation. When a king wantonly tramples upon all his subjects hold sacred, he himself breaks the bond of allegiance, and they have a right, if they have the power, to unite and reclaim what has been tyrannically torn from them. The legality, with regard to form, is all that can be urged against the National covenant, and the best lawyers of the day, and even Hope, the king's advocate, pronounced the proceedings of the covenanters legal. They had precedents, acts of parliament, and the repeated sanction of royalty for such associations; and their obligations to obey the king, and defend his person, are as explicitly stated as any other obligation in the covenant. It is true this is linked with the preservation of religion, liberty, and law, but what other obedience would any upright prince require? Should they have pledged their support to the monarch in opposition to all these?

To this much vilified bond every Scottishman ought to look with as great reverence as Englishmen do to the Magna Charta. It was what saved the country from absolute despotism, and to it we may trace back the origin of all the successful efforts made by the inhabitants of Britain in defence of their freedom, during the succeeding reigns of the Stuarts. There were, however, some who, though friendly to the purport of the bond, were scrupulous about signing it, as they had been forced to take the oath of conformity prescribed by the prelates; others were not absolutely convinced of the unlawfulness of the Perth articles; a few, whom custom had reconciled to the Episcopal form, hesitated about swearing to continue in the doctrine and discipline of the Presbyterian church all the days of their lives, and among the nobility, and those who had studied under Dr. Cameron in Glasgow university, several had imbibed the doctrines of passive obedience; but as these objections arose chiefly from

men who were friendly to the main object, explanations and concessions were made, and their scruples silenced by the innovations being left as a matter of forbearance till settled by the first free general assembly, and the authority of the king allowed in the fullest extent he had ever by law enjoyed, being declared the true meaning of that section of the oath.\* After much discussion among the nobility and principal leaders among the ministers, the covenant was universally agreed to. The authors of this memorable deed were Alexander Henderson, the leading man among the ministers, and Archibald Johnston, afterward lord Warriston, an advocate high in their confidence. It was revised by Balmerino, Rothes, and Loudon, submitted to the correction of the principal ministers during its progress, and finally approved of by the tables.

The supplicants who had repaired in crowds to Edinburgh, to an extraordinary meeting proclaimed by the tables, were prepared by the exhortations of the ministers, and the duty of renewing their national covenant—the breach of which had occasioned such woful confusion—was strenuously inculcated. The people, who had heard of the delight with which their fathers had engaged in this work, and their lamentations for the national defection from so sacred an obligation, listened with pleasure to the proposal of their also entering into a similar engagement. A solemn fast was appointed, and on the 1st of March, 1688, the supplicants assembled in the Grey Friars' church. The covenant was first read in their bearing; then the earl of Loudon, whose manner was peculiarly impressive, addressed them, dwelt upon the importance of this bond of union, and exhorted the assembled multitude to zeal and perseverance in the good cause. Henderson, at

\* It is curious to observe the shifts of casuistry, even in good men, when they wish to get over a difficulty. To some who objected that the bond *limits* the maintenance of the king's authority, to the defence of the true religion, laws, and liberties of the kingdom, it was replied:—"We swear to maintain him in that case, *ergo*, we are bound to maintain him in no other case." It is an evident *non sequitur*. Professing to maintain the king's authority in the preservation of religion and laws, does not hinder us to maintain his authority in sundry other cases.—Baillie.

the close, poured forth an impassioned prayer for a blessing; after which, the nobles stepped forward to the table, subscribed, and with uplifted hands, swore to the observance of the important duties required in the bond; after them, the gentry, ministers, and thousands of every rank, age, and sex, subscribed and swore; the enthusiasm was universal, every face beamed with joy, and the city presented one scene of devout congratulation and rapture. "Behold!" says one of the Presbyterian writers, "the nobility, the barons, the burghesses, the ministers, the commons of all sorts in Scotland, all in tears for their breach of covenant, and for their backsliding and defection from the Lord, and, at the same time, returning with great joy unto their God, by swearing cheerfully and willingly to be the Lord's. It may well be said of this day:—Great was the day of Jezreel. It was a day wherein the arm of the Lord was revealed; a day wherein the princes of the people were assembled to swear fealty and allegiance to that great king, whose name is the Lord of Hosts." The prelates were thunderstruck at the explosion; and the archbishop of St. Andrews, who saw at once the demolition of the fabric he and they had laboured so long and by such unjustifiable methods to build up, exclaimed in despair:—"Now all that we have been doing these thirty years past is at once thrown down!"

Copies were immediately transmitted by the deputies to their several presbyteries, accompanied with a paper entitled:—The lawfulness of the subscription to the Confession of Faith, 1688; and commissioners were sent to the west and north, where the only opposition was expected; for some of the doctors in Glasgow college taught the courtly principles of non-resistance, and a majority had complied with the innovations authorized by the articles of Perth. All the professors in the colleges of Aberdeen were advocates for prelacy and passive obedience, besides being under the influence of Huntly; but the presbytery of Glasgow hailed the approach of the covenant, and Aberdeen stood alone "as a dreary spot in a land of light." Everywhere else a zeal, unfelt since the first days of the Reformation, animated the people, and in every parish the covenant was embraced upon



Sabbath, with equal fervour, and the same demonstrations of delight that had resounded in the capital; the excitement spread to the most remote districts, Moray, Inverness, Ross-shire, and Caithness, emulated the southern parts of the kingdom, and in the space of two months, almost all Scotland had submitted, except the courtiers and their retainers, the papists, the prelates, and their dependants. The nation now was divided into two parties—an overwhelming majority of covenanters, and an astonished, disheartened minority of non-covenanters. The former acquired courage by ascertaining the number and unanimity of their adherents, the latter were surprised and terrified at the unexpected discovery of their own weakness.

Alarmed at the threatening appearances of determined opposition, displayed by the protestations against the royal proclamations, the privy council appointed a full meeting to be held at Stirling, to consider the state of the country, investigate the causes of the impending crisis, and to transmit to court, such information as might guide his majesty's councils, and all the ecclesiastical members in particular, were enjoined to attend. The day was inauspicious; when thousands were flocking to the Grey Friars' church in Edinburgh, to affix their signatures to a bond of unity, the council assembled, in the almost deserted town of Stirling, to deliberate, but without any of their clerical coadjutors, except the bishop of Brechin, who left them on the third day, and without any definite project, to meet the exigences of the times. After four days' deliberation, they agreed to send Sir John Hamilton of Orbiston, lord justice clerk, to London. Besides some complaints against the chancellor and other bishops, for non-attendance upon the set day, he was instructed to inform his majesty, that it was the unanimous opinion of the members of the council who had assembled, that the causes of the general combustions in the country, were the fears apprehended of innovations in religion, and in the discipline of the kirk, and of their introduction contrary to, and without warrant of the laws of the kingdom; to represent the expedience of his majesty's declaring that he would inquire into the nature and causes of his subjects' grievances, and in the meantime, not

press upon them any of these practices of which they complained; to request, that if he approved of their recommendation, he would be pleased to call up, or allow the board to send such of the council as were thought fit for advising how it might be carried into execution; but if it were not approved of, that his majesty would not determine upon any other course of proceedure, without some of their number being allowed to state before him, the reasons for the opinion they had given, in which case, those who were of opposite sentiments, should also be called upon to state the grounds of their counsel, and the whole subject be fully debated in his presence; and finally, he was to inform his majesty, that having used every means in their power for dispersing the meetings which were regularly held, they find they can do nothing further, till his majesty's pleasure be returned to their humble remonstrance.

The instructions were signed by the whole lay lords of council, and afterward transmitted to the lords spiritual, who returned them with the signatures of the chancellor, and the bishops of Edinburgh, Dunblane, Galloway, and Brechin. The earls of Traquair and Roxburgh, seconded the instructions of the council in a private letter, addressed to the king, confirming their statements of the universally perturbed situation of the kingdom, and their inability to allay the commotion, but recommending a deceitful, crooked policy. They advised his majesty, as religion was pretended to be the cause of all the combustion, to dissipate the fears of his subjects for the time, with regard to it, by which, they thought, the wiser sort would be satisfied, and add, "So [will] your majesty be enabled, with less pain or trouble, to overtake the insolencies of any who shall be found to have kicked against authority." A letter was also sent by the council to the marquis of Hamilton, entreating him to take into his most serious consideration, the important business with which the justice clerk was intrusted, as the peace of the country was never in so great hazard, and use his interest with the king, to bring these great and fearful ills to a happy event. Lord Lorn, eldest son of the earl of Argyle, and the earls of Traquair and Roxburgh, were soon after invited to court by the

king, to assist in the deliberations respecting Scotland, and they were quickly followed by the lord president, lord register, and the bishops of Ross, Brechin, and Galloway. The nobles concurred in proposing soothing remedies, Lorn spoke freely, and recommended the entire abolition of the hated innovations, Traquair was for temporizing; but the bishops of Ross and Brechin urged to strong measures, and are said to have suggested a scheme for raising an army in the north, sufficient to assert the majesty of the crown, and correct the insolence of the covenanters.

Charles hesitated, and while he did so, rumours reached Scotland, that he intended again to attempt dividing the supplicants. To prevent any such attempt, by demonstrating its hopelessness, a paper, containing eight articles for the present peace of the kirk and kingdom of Scotland, signed by the earls of Rothes, Cassillis, and Montrose, was sent to all the Scottish nobility who were in London. In it their original demands were repeated, but the recalling of the service book and the canons, were not now to be considered as a perfect cure for the present evils, nor a safeguard for the future. They demanded to be delivered from the court of high commission, as from a yoke and burden which they felt to be far more heavy than they should ever be able to bear. They required that the articles of Perth, which, for twenty years had produced only divisions in the church, troubles in the kingdom, and jealousies between his majesty and his subjects, without any spiritual profit or edification, should not be enforced. Ministers were not to be allowed to sit and vote in parliament, except under the caveats formerly enacted. Unlawful oaths, which only exclude worthy, conscientious, and qualified persons from the ministry, while they open a door to others, who, for base objects, are willing to subscribe them, were directed to be abolished. Lawful assemblies of the church were required to be revived, and regularly held; and a free parliament assembled, to redress the grievances, and remove the fears of the nation, by renewing and establishing such laws, as might prevent the recurrence of the one, or tend to recall the other, which, if granted, the public mind, now so agitated, might be easily pacified. Nor would it be

possible, they added, as a concluding argument, to express what gratification compliance would afford, all their tongues and pens would not then be able to represent what would be the joyful acclamations, and hearty wishes of so loyal and loving a people for his majesty's happiness, nor how heartily bent all sorts would be found to bestow their fortunes and lives on his majesty's service.

While the bishops were either absent from fear, or at court, several of the presbyteries ventured to exercise their long lost privileges of ordaining ministers, without the presence or consent of the bishops. All of them removed their constant moderators, and the suspended ministers returned to their charges, which the intruders, knowing the aversion of the people, and dreading their vengeance, had left vacant.

It was not to be expected, during a time when the administration of justice was stopped, the courts shut, the judges and principal officers of state at London, and the whole country in a ferment, that no irregularities should occur, in such a promiscuous multitude as the covenanters; neither is it to be wondered at that they did. The rabble, in several instances, maltreated the clergymen who had been forcibly thrust into charges, from which popular ministers had been ejected, or who laboured under any violent suspicion of being favourable to popery. Mr. John Lindsay, the constant moderator of the presbytery of Lanark, was severely handled; Dr. Ogston of Collington, who used to cause the people answer his examination before the sacrament on their knees, and besides, lay under an imputation of having spoken favourably of the virgin Mary, was also attacked; and Mr. Hannah, the minister of Torphichen, who had been intruded sorely against the inclination of the parishioners, in place of Mr. Livingston, who was deprived, received some rude marks of disapprobation from the malecontents of his parish. The more judicious of the covenanters lamented, but could not always prevent these outrages; yet, wherever they could, they interfered. The ministers inveighed against them as hurting the cause, and bringing a reproach upon the whole body, and the magistrates who were friendly, exerted themselves strenuously to preserve the peace.

Representations of these occurrences were immediately despatched to London, as a counterpart to the complaints of the Presbyterians, and to inflame the mind of his majesty against them. They produced, however, no present effect, as the king had previously resolved to send a high commissioner to Scotland, and intrust him with the delicate task of composing the tumults, without compromising the dignity of the crown. For this purpose the marquis of Hamilton was made choice of, as being unconnected with either party, of extensive influence from his wealth and connexions, conciliatory in his manners, and regarded rather favourably by the covenanters, although his father had carried the articles of Perth through parliament. When he had with difficulty been prevailed upon to accept of the high but invidious appointment, the Scottish bishops, and the archbishop of Canterbury were called to a cabinet meeting, and introduced to his lordship, as the high commissioner his majesty intended to despatch to Scotland. The marquis desired to know what the bishops expected him to be able to effect. They answered, the peace of the country, and the good of the church. For this, he said, their assistance would be required at their posts, to reclaim such of the ministry as had once conformed. But they replied their influence was gone, and they could not return to Scotland without danger; they therefore wished to be permitted for the present to remain in London. Laud strongly opposed this, and the marquis having promised to protect them as far as in his power, they were constrained to comply. The king, at the same time, urged upon them, the necessity of residing each on his own diocese, and by their attention, endeavouring to engage the affections of the people, and subdue their aversion to the Episcopalian form of the church, which, however modified to obtain present tranquillity, he had no intention to relinquish. On the 10th May, the king acquainted the Scottish privy council with his commission to Hamilton, and ordered all the members to assemble at Dalkeith, June 6th, to receive him. The marquis himself wrote to the chief nobility and gentry, to meet him at Haddington on the day before, and accompany him to the place where he was to enter upon office.

At length the commissioner left London, nearly three months after the covenant had been signed, and the authority of the tables acknowledged throughout the country, yet he carried with him instructions to insist upon the relinquishment of this bond, and the disunion of the subscribers, as preliminary to any concessions on the part of the crown. Spotswood had in vain attempted to persuade his majesty not to require the nation's publicly renouncing what they had so lately sworn to observe, but the king was inflexible, he would hear of no compromise, and declared, "that as long as that covenant was not passed from, he had no more power than the duke of Venice."

Hamilton was met at Berwick by the earl of Roxburgh, who informed him of the agitated state of the country, and the impossibility of quieting it without the most ample concessions. Instead of being welcomed at Haddington by a large concourse of the nobility and gentry, he was waited upon by the earl of Lauderdale and lord Lindsay, with an apology. The nature of his commission had transpired, and the leaders—who suspected attempts would be made, either by allurements or terror, to induce part to rest satisfied with the concessions, and dreaded that by being separated, the train of the commissioner, swelled by the accession of their friends, would have an imposing appearance, whilst their own diminished body would give some plausibility to the representations of their enemies, that they were few in number, and contemptible in rank—after mature deliberation determined, that it would be improper for adherents of the public cause, either to attend upon the commissioner, or such nobles as had not subscribed the covenant, lest this should serve to confirm the false impressions they might have received, of the lukewarmness, or want of constancy in any of the covenanters; and so implicitly were the injunctions of the tables revered, that not even his own vassals in Clydesdale would venture to infringe them. His grace arrived, disappointed and chagrined, at Dalkeith, but a second deputation, at the head of which was Rothes, being sent to congratulate him on his arrival, the plausible excuses, aided by the insinuating manners of the earl, tended greatly to efface the ill humour

occasioned by the apparent neglect. An incident which occurred a few days before, and had very nearly raised a tumult, had also some influence in exciting suspicions respecting the mission of the marquis, and determining him at first not to enter the capital.

Upon a representation made at court, that the noblemen had provided their houses with arms and ammunition, while the king's castles were almost destitute, the treasurer employed a vessel to convey to Leith a quantity of military stores. She had scarcely anchored in the roads, when an alarm was immediately given, and her arrival at the time that the commissioner was just expected, gave rise to a number of distracting reports. It was the sole subject of conversation in the town, and so apprehensive were the inhabitants of the measures of government, that it was proposed to proceed and seize the vessel. Traquair, however, suspecting some sinister design, ordered the whole to be privately transported to Dalkeith. The tables, when they understood this, summoned the captain of the vessel before them, where he underwent several examinations, and the zeal of the people was marked by a circumstance which must have effectually secured the wavering attachment of many a doubtful character; the captain's answers at first were haughty, but as soon as his contumacy was known, all his bonds were immediately presented by his creditors, and payment demanded, on which he subscribed the covenant without delay, and a number of friends then stepped forward, and saved his tottering credit.

Traquair, who was accused by report, of a ridiculous plot to blow up the tables when they should assemble at Dalkeith, easily exculpated himself from so foolish a charge, but acknowledged that he had advised the supplying of Edinburgh castle, only on being warned by some noblemen and gentlemen, that a determination was formed to seize the cargo, if carried thither, he thought it more advisable to send it to Dalkeith, in order to avoid giving occasion for any riot that might widen the breach, or present new obstacles to a reconciliation. The treasurer's explanation was not altogether satisfactory to the violent among the citizens, who

insisted upon marching instantly to Dalkeith, and seizing the stores. More moderate, but not less decisive measures were adopted; the castle was blockaded, and guards set upon the gates of the city, by which all supplies were cut off from the fortress, and in this state almost of siege, was the metropolis placed, when the king's high commissioner arrived in the neighbourhood.

Scarcely was the privy council less divided than the kingdom; the majority were in favour of the covenanters, and the illegality of the king's projects and measures was so flagrant, that his own advocate could not defend them at the council board. Hamilton, who had intermeddled little with Scottish affairs, was involved in the utmost perplexity. He found an opposition, which it was impossible to break or bend, and for meeting which his instructions were wholly inadequate. He immediately acquainted the king with the unpromising appearance of the country, and the hopelessness of his mission, informed him that twenty-three thousand men were in arms near the capital, and advised him secretly to advance his military preparations, as he saw no prospect of reducing the rebels but by force, or acceding entirely to their demands. In the meanwhile, from the disposition of the people, he found it would be imprudent to follow that part of his instructions, requiring the renunciation of the covenant. He added, if his majesty meant to follow his first alternative, and enforce obedience, he should instantly despatch his fleet with two thousand land soldiers, and send down arms for the northern counties; garrison Berwick with fifteen hundred, and Carlisle with five hundred men, and resolve himself to follow with an army; but suggested how far in his wisdom it might not be proper, rather in mercy, to connive at the folly of his poor people, than in justice to punish their madness.

After the council broke up at Dalkeith, the commissioner received addresses, inviting him to reside in Holyroodhouse; but he declined entering a town, the gates of which were guarded, and whose castle was beset with armed men. This difficulty, however, was surmounted chiefly by means of the lord Lorn, who procured the dismissal of the public



watch, and persuaded the covenanters to receive him with every mark of distinction they could have shown to royalty itself. The arrangements for his public entry were upon the most extensive scale, calculated to exhibit in imposing array, the strength of the covenanters. An immense number of nobility, gentry, and commoners, from all the different shires, lined the road leading to Leith, upwards of five hundred ministers in their black cloaks, were stationed by themselves on a conspicuous eminence in the links, and the magistrates and inhabitants of Edinburgh waited to receive him at the Watergate. A promiscuous crowd of women, children, and stragglers, increased the show, and the congregated multitude was, by a loose calculation, estimated at about sixty thousand, a greater number of people than the nation had seen collected in the city during more than a century.\* Wherever he appeared, the commissioner heard on every side, earnest and loud prayers for the preservation of the liberties and religion of the country, which moved him even to tears, and he expressed his earnest wish, that king Charles himself had been a witness of the scene. He declined, however, to listen to harangues which the ministers had prepared to deliver as he passed, and politely apologized to Mr. William Livingston, "the strongest in voice and austere in countenance of the whole," who had been appointed to pronounce the introductory oration, for not stopping in his progress, "the honour of such addresses being," he said, "more adapted to the rank of a prince, than suitable for the station of a subject."

His grace's courteous manners and winning address gained upon the covenanters, and for some days, there was the greatest show of cordiality between them. At his request, the multitude were dismissed, and frequent conferences took place between him and the leading commissioners who remained. In these he used all his art, by flattering promises, to gain at least some of them over to his purpose, and they endeavoured to draw from him some explicit declaration in favour of their demands; but neither were successful.

\* Burnet's Memoirs, p. 54. Baillie's Letters, pp. 60, 61.

The commissioner, in the course of their discussions, observed, that all the laws for forty years back, were against the covenanters. The others replied, they were founded upon the ruins of the reforming laws, had been obtained by cunning and violence, in opposition to the wishes of the nation, were destructive to religion, subversive of liberty, and the chief causes of their complaints. He, at another time, offered in the king's name, to refrain from pressing the canons and liturgy, unless in a legal manner, and remove whatever was objectionable in the high commission court, by the assistance of his council, but required the surrender of the covenant as a preliminary. This proposition was listened to with disdain, and the universal declaration was, that they would as soon renounce their baptism as the covenant.

The deputies, perceiving that the powers of Hamilton were exceedingly limited, presented as their *ultimatum*, a supplication for a free general assembly, and for a parliament, to ratify their enactments, and as a stimulus to the commissioner, circulated privately a paper, intended as a demi-official statement of their demands, and containing pretty intelligible hints of their determination in case of a refusal. Their grievances were declared co-extensive with the kingdom, so must their remedy be, and this a free general assembly and parliament were only able to effect and secure, and at the close, two portentous queries were started, "If delay were used, it was desired, that advice might be sought concerning the power of calling a general assembly, how they should in the meantime behave with respect to controverted points, and that some lawful course might be thought upon, how justice might have free course, and frauds be prevented? And if violence were used for enforcing obedience, that a committee should be chosen to consider what was fit and lawful to be done, for the defence of their religion, laws, and liberties?" They were probably induced to adopt this resolute mode of proceeding, and to follow it up by steps equally firm, in consequence of some of the commissioners appearing inclined to admit an alteration in the covenant. The marquis, whose object now was to gain time, promised an answer in a few days, and to sooth the applicants in the interval, attended the

sermons, and held private interviews with Mr. Alexander Henderson, but when the set time arrived, they found that he was restricted by the king's declaration, which he proposed to proclaim; this they considered as a mockery, and plainly told him, if he persisted in publishing that proclamation, they would meet it by a protest, assigning as their reason, their determination to preserve their right of being heard, which if they did not exercise, they would appear to condemn all former protestations, and weaken the adherence of numbers to their cause, besides allowing to proclamations, the force of laws, by accepting as a royal favour, remedies which could only be legally granted by act of parliament. A protestation too, was a dutiful forewarning of the king and his commissioner of their desires, and the lawful remedies required; of the benefits of granting, and the hurtful consequences which might arise from refusing them; a vindication of their conduct to foreign nations; a legal introduction to lawful defence, and a necessary preface to any future declaration which necessity might wring from them. Above all, it was a public way of thanking his majesty for his public favour in the concessions he had made, and as they declined the authority of the council till the bishops were removed, and were not satisfied with the declaration of the commissioner, it was necessary to preserve their recourse and immediate address to his majesty himself, by new supplications and remonstrances. These reasons had no weight with Hamilton; he told them he was resolved to see his royal master obeyed, that he would attend himself, and support the heralds in the discharge of their duty, and whoever dared to protest, he would denounce them rebels.

The covenanters, thus apprized, were on the alert, and when, in two days after, they perceived preparations making at the Cross for publishing the declaration, they caused a scaffold to be erected for the protestors, and in an inconceivably short space, a numerous guard of gentlemen, and of the chief burgesses, collected to secure them against any sudden attack. The determined front of the assemblage informed the commissioner, that it would be his most prudent plan to delay the promulgation of the royal edict. He therefore ordered the

heralds to retire, abandoned the design for the present, and once more resorted to conciliatory overtures. He intimated that their request for a free parliament and assembly should be granted, only he required to be satisfied that the clause in the covenant for mutual defence did not authorize resistance to his lawful authority. The objection was by some deemed vexatious, and intended merely to create delay and discussion; but in order to avoid even a shadow of misrepresentation, they agreed to an explanation, full, clear, and impressive. "They declared before God and men, that they were heartily grieved and sorry that any good man, and, most of all, their sovereign, should entertain such misconceptions respecting their proceedings; that they were so far from the thought of withdrawing themselves from their dutiful subjection and obedience to his majesty's government, that they had no intention or desire to attempt any thing that might tend to the dishonour of God, or to the diminution of the king's greatness and authority; but, on the contrary, they acknowledge their quietness, stability, and happiness, depended upon the safety of the king's majesty, as upon God's vicegerent, set over them for maintenance of religion and administration of justice; that they had solemnly engaged not only their mutual concurrence and assistance for the cause of religion, but also to the utmost of their power, with their means and lives, to stand to the defence of their dread sovereign, his person and authority, as well as the preservation and defence of true religion, laws, and liberties of the kingdom; and they did most humbly beseech *his grace* to esteem their confession of faith and covenant to have been intended, and to be the largest testimony they could give of their fidelity to God, and loyalty to their king; and that hinderance being removed, they do again supplicate for a free assembly and parliament to redress all their grievances, settle the peace of the church and kingdom, and procure that cheerful obedience which ought to be rendered to his majesty, carrying with it the offer of their fortunes, and best endeavours for his majesty's honour and happiness, and a real testimony of their thankfulness."

Such an explanation, it might have been expected, should have proved entirely satisfactory, and it would so, had the

objection been sincere; but the commissioner alleged his apprehensions, that it would not fully content the king, as his powers did not enable him to gratify them. He therefore proposed to proceed to court, to communicate personally to his majesty the information he had collected in Scotland, and obtain fuller instructions, and more ample powers; to which the deputies assented, and it was mutually stipulated that no alteration should take place till his return.

Matters thus settled, the covenanters, relying upon the immediate departure of the marquis, separated and returned home; but he did not intend to leave the country without first publishing the king's declaration. On Saturday, June 30th, 1638, he went to the Cross, and a number who still lingered about town, assembled at the first rumour of a proclamation, and came prepared to protest. This he had expected, and, to their agreeable disappointment, they found that it was to announce the return of the courts of justice to Edinburgh. Next day he set out apparently upon his journey, and proceeded the length of Tranent, where he heard sermon; whence, returning unexpectedly, he caused the proclamation to be published at the Cross of Edinburgh, expecting, by his previous manœuvre, to have lulled suspicion, and prevented interruption. He was met, however, by a protest from the vigilant tables, and unless the nobles, whose absence he had reckoned on, had interfered, a serious riot might have ensued, in consequence of the indiscreet zeal of some of the prelates, who, from an obscure, adjoining window, upbraided the readers of the protest as rebels.

From the moment Hamilton entered Scotland, he seems to have been aware of the combustible materials by which he was surrounded, and does not appear to have concealed the extent of the danger from the king; but the childish obstinacy of Charles, and the false ideas he entertained of honour, prevented him from yielding to the reasonable desires of his subjects, and led him to embrace a line of conduct, at once mean, false, and deceitful. It is perfectly evident that whatever concessions he authorized his commissioner to make, from the first he never intended to observe them; and this is not the suspicions of his enemies, his own letters bear testi-

mony to his insincerity. In his first despatch to Hamilton he speaks plainly:—"Though I answered not yours of the 4th, yet I assure you I have not been idle, so that I hope by the next week I shall send you some good assurance of the advancing of our preparations. This I say not to make you precipitate any thing—for I like of all you have hitherto done, and even of that which I find you mind to do—but to show you that I mean to stick to my grounds, and that I expect not any thing can reduce that people to their obedience but only force." "As for the dividing of my declaration, I find it most fit—in that way you have resolved it—to which I shall add, that I am content to forbear the latter part thereof, until you hear my fleet hath set sail for Scotland. In the meantime, your care must be how to dissolve the multitude, and, if it be possible, obtain possession of my castles of Edinburgh and Stirling, which I do not expect. And to this end I give you leave to flatter them with what hopes you please, so that you engage not me against my grounds—and in particular, that you consent neither to the calling of parliament nor general assembly, until the covenant be disavowed and given up—your chief end being now to win time, that they may not commit public follies, until I be ready to suppress them, and since it is, as you well observe, my own people which by this means will be for a time ruined, so that the loss must be inevitably mine; and this if I could eschew—were it not with a greater—were well; but when I consider, not only now my crown, but my reputation for ever lies at stake, I must rather suffer the first, that time will help, than this last, which is irreparable. This I have written to no other end than to show you, I will rather die than yield to these impertinent and damnable demands, as you rightly call them; for it is all one as to yield to be no king in a very short time." In a postscript he adds:—"As affairs are now, I do not expect that you should declare the adherents to the covenant, traitors, until you have heard from me, that my fleet hath set sail for Scotland. In a word, gain time by all the honest means you can, without forsaking your grounds."

When the multitudes began to disperse, and the commissioner had some hope of an amicable adjustment, he wrote

Charles to suspend his warlike preparations. The answer, June 13th, is insidious, and demonstrates how unsafe it would have been to have placed the smallest reliance on any agreement with the king, without some open, legal guard, against his duplicity and revenge.\* “I shall,” says he, “take your advice in staying the public preparations for force; but, in a silent way—by your leave—I will not leave to prepare, that I may be ready upon the least advertisement. Now I hope there may be a possibility of securing my castles, but I confess it must be done closely and cunningly.” Then follows a direction for the marquis to obtain—he does not say by what means—an opinion from the lawyers that the covenant was illegal, which would have laid the subscribers at his feet, and the use he would have made of his power may be fairly inferred from his treatment of Balmerino. “One of the chief things you are to labour now is, to get a considerable number of sessioners and advocates to give their opinion, that the covenant is at least against law, if not treasonable.” The favourable appearances, however, growing less encouraging, Hamilton, who strictly adhered to the will of his master, requested a warrant from Charles to bring back the court of session to the capital, because several of the covenanters being involved in their circumstances, he hoped, by means of the suits that would be raised against them, to drive away some of the most troublesome; but chiefly the settling of the court again in Edinburgh, looked like a resolution of going on with a treaty, of which it was fit they should be persuaded, till the king were in a good posture for reducing them.

Toward the close of the month, Hamilton, who saw no hope of prevailing with the college of justice, judges, or lawyers, to pronounce the covenant either seditious or treasonable; that almost all the privy council favoured it, and that the nation were nearly unanimous, represented to his majesty, that if he would admit of the explanation given by the covenanters, every thing might be settled without more trouble, either to the king or country; but otherwise, it must terminate in blood. He desired his majesty to consider well before he

\* Burnet's Memoirs, p. 57.

adopted the alternative, and if he unhappily chose war, to see that his preparations were complete before he hazarded a rupture, lest, if the others had the start, all his faithful servants in Scotland would be ruined ere he could come to their rescue; reminded him of the discontents in England, and the strong probability that the disaffected there would join the Scots, whose resolution he understood it was, on the first signal, to march into that country, and make it the seat of war. Charles' reply marks the value he set upon the peace of the country, or the blood of his subjects, when placed in opposition to the gratification of his despotic temper. "My train of artillery, consisting of forty piece of ordnance, with the apurtenances, all Drakes—half and more of which are to be drawn with one or two horses a piece—is in good forwardness, and I hope will be ready within six weeks; for I am sure there wants neither money nor materials to do it with. I have taken as good order as I can for the present for securing of Carlisle and Berwick; but of this you shall have more certainty by my next. I have sent for arms to Holland, for fourteen thousand foot, and two thousand horse; for my ships they are ready, and I have given order to send three for the coast of Ireland immediately, under pretence to defend our fishermen. Last of all, which is, indeed, most of all, I have consulted with the treasurer and chancellor of the exchequer for money for this year's expedition, which I estimate at two hundred thousand pounds Sterling, which they doubt not but to furnish me. More I have done, but these are the chief heads." After asking Hamilton's advice about the number of men necessary to be sent with the fleet to the Forth, about seizing and fortifying Leith, and rendering the guns in the castle unserviceable, he adds:—"Thus you may see that I intend not to yield to the demands of these traitors, the covenanters."

The marquis, still averse to involving Scotland in a civil war at this period, had again pressed upon Charles the great hazards he apprehended from a breach, and his doubts with regard to the hearty aid of the English, repeated the requests of the supplicants, and gave at length their explanation respecting the clause for mutual defence. To which he received



for reply:—"There be two things in your letter that require answer, viz. the answer to their petition, and concerning the explanation of their damnable covenant; for the first, telling you that I have not changed my mind in this particular, is answer sufficient;" "for the other, I will only say, that so long as this covenant is in force, whether it be with or without explanation, I have no more power in Scotland than as a duke of Venice, which I will rather die than suffer; yet I commend the giving ear to the explanation, or any thing else to win time." "Lastly, my resolution is to come myself in person, accompanied like myself, sea forces, nor Ireland shall not be forgotten." On receiving this last despatch, the commissioner resolved to proceed instantly to London, to communicate more freely with the king on the state of affairs than he could do by letter; to ascertain in what state of forwardness the king's preparations were; and especially to devise a plan for protracting the negotiations, or counterworking the covenanters with their own instruments, by projecting a royal covenant.

When he arrived at court, he hastened to acquaint the king with the strength and fury of the covenanters, of the unsteadiness of a majority in the privy council, and of the deceit practised upon his majesty, by representing his military preparations in England as in a state of great forwardness. Influenced by these considerations, the king, with the advice of Laud, after several days' deliberation, resolved to adopt the suggestion of Hamilton respecting a king's covenant, to enlarge the commissioner's instructions, and to temporize till his force was ready to act. He had liberty to summon a general assembly, if he found no other course could quiet the business at that time; but, if possible, to delay it till the 1st of November, or later if he could. He was to endeavour to procure for the bishops, seats in the assembly, and that one might be chosen as moderator. If this could not be obtained, he was to protest in their favour, as also against their abolition; but he was to acknowledge their accountability to the general assembly, and if any particular charges were urged against the bishop of St. Andrews, or any of the others, he was to acquiesce in their being brought to trial. He was to agree to recall

the liturgy, canons, and high commission, and suspend the articles of Perth; but the concluding article of the instructions throws an air of insincerity over the whole. "Notwithstanding all these instructions, you are by no means to permit a present rupture to happen, but to yield any thing, though unreasonable, rather than now to break." And some injudicious letters, which were sent to the north, gave just grounds to the covenanters to hesitate before they trusted to any partial concessions.

During the absence of the commissioners, the tables sent a new deputation to Aberdeen, consisting of the earls of Montrose, Kinghorn, and lord Couper, with three eminent ministers, Alexander Henderson, David Dickson, and Andrew Cant, to make another effort to bring over that city to join the public cause. They were courteously received by the magistrates, but they could not induce them to subscribe the covenant, and the ministers refused to suffer them to occupy their pulpits. A controversial war took place, and several pamphlets were published on both sides, in which the Aberdonian doctors claimed the victory, and the southern missionaries could produce but few converts to evidence their superiority of argument. The marquis of Huntly reported the triumph of the northern Episcopalians to the king, who immediately, and at the unlucky moment when he was apparently authorizing the abolition of the rites and ceremonies against which the covenanters had united, wrote a letter to the provost and baillies, and another to the doctors, thanking them for their conduct, and promising them his favour and protection in future. The marquis of Hamilton also sent them a letter of similar import, and remitted one hundred pounds Sterling, to enable them to defray their expenses of printing.

The commissioner, at his return, was waited upon by deputies from the tables, to learn the event of his expedition; to whom, after he had consulted with the council, he announced eleven preliminary demands, necessary to be settled before he could call a general assembly. A negotiation ensued, when he reduced his conditions to two:—That no layman should have voice in choosing the ministers from the presbyteries to the general assembly, nor any but the ministry of the same pres-

bytery; and that the assembly should not determine upon any thing established by act of parliament, otherwise than by remonstrance, or petition to parliament. With these, as rendering nugatory every purpose for which a free assembly was asked, they refused to comply; and tired of delays, which they knew were only intended to weary them out, they avowed their determination to indict a free assembly, and published their reasons.

On the divine right of Presbyterian church government, and the consequent high ground which is assumed for holding general assemblies, there have always been doubts. The acts of parliament are more incontrovertible, and the legality of assemblies meeting themselves, without any warrant from the king, appears to be pretty plainly implied in the act of James VI. 1592, which was a restriction on their former acknowledged freedom of meeting; \* but a most formidable objection arose from the principles of the covenanters themselves. It was allowed, when a Christian church lived under an unchristian magistrate, heathen or Popish, assemblies of the church might be kept, as was done by the church of Scotland for many years, without the consent of the magistrate; but when the church lives under a Christian ruler, so that the church and commonwealth make but one corporation, the assemblies of the church must depend upon the indiction of the prince or magistrate, who is the head of the republic, and principal member of the church. The tables got rid of this by a very summary process; they allowed the right of calling general assemblies to reside in a Christian prince; but if he

\* And declaris that it sall be lauchfull to the kirk and ministers, everie zeir at the least, and oftner, *pro re nata*, as occasion and necessitie sall require, to hald and keepe generall assemblies: Providing that the king's majestie, or his commissioners, with them to be appoynted be his hienesse, be present at ilk generall assemblee, before the dissolving thereof, nominat and appoynt time and place, quhen and quhair, the next generall assemblee sall be halden; and in case neither his majestie nor his said commissioners beis present for the time, in that town quhair the said generall assemblee beis halden, then, and in that case, it sall be leisum to the said generall assemblee be themselves, to nominate and appoynt time and place quhair the nixt generall assemblee of the kirk sall be keiped and halden, as they have been in use to do thir times by past.—Act, James VI. 1592.

omitted to do his duty, it devolved on the office bearers of the church; and as to his forbidding assemblies, if necessary, for promoting the union of the body of Christ, or removing heresies, the pastors of the church, when the indication of the prince cannot be obtained, are bound, as they will answer to Christ, to provide that the ecclesiastical republic receive no detriment, and to esteem the safety of the church the supreme law.

Seeing the resolution of the tables to indict an assembly was immoveable, the commissioner again had recourse to delay, and requested that it might be put off till he revisited the court, in order to solicit his majesty's concurrence. The ministers, gentry, and burgesses, were for proceeding forthwith; but were induced, by the intervention of the lords Lorn and Rothes, to acquiesce in the delay till the 20th September, on condition that the marquis should endeavour to obtain from the king an assembly, free, both as to the members of which it should consist, and the subjects of which it should take cognizance; a warrant to meet speedily, and in such place as should be most generally convenient; and a promise, that their free communication with England should not be interrupted.

The marquis, having satisfied them with regard to these articles, took his departure. He stopped a night on the road to consult with the earls of Traquair, Roxburgh, and Southesk, who, coinciding with him, drew up and subscribed a memorial to be presented to his majesty, recommending the absolute and unreserved recall of the service book; book of canons; the abolition of the high commission till established by law; the suspension of the articles of Perth; the illimited power of the bishops, in admitting and deposing ministers, to be remitted to the consideration of the assembly; and reiterating the advice of Hamilton respecting a confession of faith.

It was now become necessary that the most ample concessions should be made, or immediate force employed. Charles, after a considerable struggle, resolved upon the former, and agreed to grant all the original demands of the tables; that the two obnoxious books should be unconditionally recalled;

the high commission abolished; the articles of Perth suspended; and an assembly and parliament appointed, in which the prelates might be legally prosecuted, and their lawless, illimited power restrained.

Unfortunately Charles never knew how to yield in time, or with a good grace. These concessions which, granted frankly at first, would not only have satisfied his subjects, but would have been received with gratitude, as marks of peculiar favour, were now received with coldness and distrust; and if it was true, as Guthrie asserts, \* that copies of all Charles' private papers were sent by his body servants to the covenanters, it is not difficult to account for their inveterate and incurable mistrust of all his propositions. Along with the instructions given to the marquis to yield the contested points, were others directing him to prevent their beneficial effects, by sowing discord among the party. "You must," says he, "by all means possible you can think of, be infusing into the ministers what a wrong it must be unto them, and what an oppression upon the freedom of their judgments, if there must be such a number of laicks to overbear them, both in their elections for the general assembly and afterward; likewise, you must infuse into the lay lords and gentlemen, with art and industry, how manifestly they will suffer, if they let the presbyters get head upon them." †

The Presbyterians were convinced by experience, that there was no holding parley with Episcopacy; they had studied the progressive growth of the Prelatical usurpations; they had seen by what insidious methods, and under what false pretences it had undermined their polity, when the law was expressly on their side; and now, when a fair opportunity offered for getting rid of the pestiferous root of so much mischief, they were anxious to seize it, as they never could believe themselves safe, or their church secure, while a fibre was allowed to remain. They now aimed at the restoration of the church of Scotland to its pristine glory and Presbyterian purity, and no proposals short of this would be listened to.

\* Guthrie's Hist. vol. ix. p. 357.

† Burnet's Memoirs, &c. p. 74.

Hamilton found the covenanters in this disposition at his return; but he found also that his proposal for excluding laymen from voting in presbyteries, for the commissioners to the general assembly, had produced the desired effect, and that some dissension had arisen between the ministers and the lords of the covenant on that subject. This he artfully cherished, and, in hopes of bringing matters to a crisis, resolved upon immediately summoning the assembly. For some days after his arrival he kept himself secluded arranging his plans, and when the deputies of the covenanters requested to be informed of the king's pleasure, he assured them the king had granted all that they desired; but the particulars he referred till after he should have communicated with the council. At the council he intimated the design to renew the covenant which had been signed by king James, substituting the original bond for that annexed by the covenanters. This the council, after a long debate, agreed to subscribe, with an explanation. In the original oath, the subscribers bound themselves to maintain "religion as then professed." This, by the chicanery so prevalent in all Charles' negotiations, conveyed a double meaning. The covenanters in their bond, to prevent misconstruction, had defined the expression as signifying, in strict conformity with the negative confession of faith, a religion stripped of all names, titles, rites, and ceremonies, that bore the smallest resemblance to Rome, and as it existed before the late innovations. Charles tacitly understood by the term the Episcopal, and those of that persuasion likewise understood it in the same sense. The privy council, and the Presbyterians, took it according to the original meaning, exclusive of prelacy.

The covenanters were too well informed of the secret reservations of the court, to give credit to their integrity in this solemn deed, and they descried in the transaction, a snare too inartificially laid to entrap them. Aware, however, of the effects it might produce among the people, who, without considering its obvious intention, might have been inclined to adhere to the royal covenant, in which there was so little apparent dissimilarity to their own, Rothes, accompanied by several of the covenanting lords, waited upon the commis-

sioner at an early hour, and requested him to postpone issuing the king's proclamation for a day, when they would be prepared to exhibit valid reasons why the old confession of faith should not now be revived. Hamilton, who suspected that they intended to intrigue with the members of the privy council, would hear of no delay; and that same day, ordered a proclamation to be published, announcing the king's covenant for subscription, and indicting an assembly to be held at Glasgow. This city was preferred, because the family influence of the commissioner was great in the west, in preference to Aberdeen, suggested by the archbishop of St. Andrews, where the covenanters were weakest, and in which quarter the most pliant instruments of the crown had been wont to be found.

The proclamation was met by a protest, signed by the earl of Montrose, and other deputies from the tables; because the recall of the service book and canons, was not so absolute as to preclude the fears of their being again introduced, for although the acts establishing their observance were rescinded, the proclamations, in which they were highly approved, and in which his majesty declares his purpose to bring them in, in a legal way, were not revoked, a circumstance, which however it might be overlooked by such as took only a partial view of the subject, and neither considered what they were doing, nor with whom they were dealing, could not escape the notice of those who carefully compared the steps that had been taken, and had watched the whole progress of innovation; because the archbishops and bishops were summoned to parliament, without any reference to the ecclesiastical courts, which was contrary to the caveats, and to the assembly in right of office, which was in opposition to their declination; because all his majesty's subjects were commanded, for maintenance of the religion already established, to subscribe and renew the Confession of Faith, subscribed before in the year 1580, for although lately they would have been glad that they, as well as the rest of his majesty's subjects, had been commanded by authority, to swear and subscribe the general Confession of Faith, yet now, after so particular a specification as they had signed—but which they had been so

frequently urged to rescind or alter—they could not return to the general, and by a new subscription, obliterate the remembrance of their late Covenant and Confession, which was sworn to by them, to be an everlasting covenant, never to be forgotten; nor would they think themselves guiltless of mocking God, and taking his name in vain, if, while the tears which began to flow at the solemnizing of the covenant were not yet dry, nor the joyful noise which then sounded had not yet ceased, they should enter upon a new obligation, neither did they think solemn covenants ought to be multiplied, or oaths played with as children play with their toys; because, having sworn that they would neither directly, nor indirectly, suffer themselves to be divided and withdrawn from their late loyal conjunction, they could not consent to a subscription and oath, which, both in the intention of the urgers, and in its nature, was calculated to destroy their unanimity; because the subscribing of another, would be acknowledging that they were rash and unadvised in their last bond, and wished only a fair pretext for recanting, and the intention of authority was, that the oath might consist with the corruptions they had abjured, a meaning which, if they signed without explanation, they would confirm and establish the opinion of those who subscribed the old, but refused the new obligation, as substantially different; and because the general bond, adapted to the time when it was subscribed, omits an obligation so necessary for adapting it to the present—reformation of life—that the subscribers should, answerably to their profession, be examples to others of all godliness, soberness, and of every duty to God and man.

The proclamation and king's covenant was spread with the utmost diligence in every corner of the land, and would, it is probable, have produced a complete schism among the covenanters, but for the precautionary measures taken by their leaders. Deputies were despatched by the tables, to affix their protestation, and assign their reasons, wherever the messengers of the commissioner might make their appearance, and they succeeded in securing the attachment of the people, and preventing divisive courses, except in Aberdeen, and partially in Glasgow. At Aberdeen, when the king's coven-



He had before this told him, that he expected no good from the assembly, though he trusted he might hinder much of the ill; first, by putting divisions among them concerning the legality of their elections, and then, by protestations against their tumultuous proceedings. In the meanwhile, Hamilton had not been idle in his attempts to procure at least an ostensible opposition to the introduction of lay elders, and by some presbyteries they were admitted with reluctance, particularly in Glasgow, who required a special visitation from Lord Loudon and three of the leading ministers, before their doubts could be resolved. He, besides, invited the Aberdeen doctors to be present at the assembly, to assist with their arguments, but they, perceiving the total inutility of any efforts of theirs to stem the torrent, declined the journey south, alleging the state of the roads, and the season of the year as their excuse.

Amidst the mutual preparations for the approaching trial of strength, the accusation of the bishops, an object of no minor importance, was revolved by both parties as what would bring them into immediate contact. The leading covenanters had protested against their taking their seats in court, until cleared by a legal trial, and were ready to bring forward their charges, but they possessed no legal power to cite them to appear before the assembly, nor was there, in the then disorganized state of the church, any regular ecclesiastical mode of procedure, to which they could resort for accomplishing their purpose. The earl of Rothes, therefore, and some others, petitioned the commissioner for a warrant to command their appearance. With this he refused to comply, as there was no precedent, and he alleged he did enough, if he did not place any obstructions in the way of their being brought to a fair trial, but the fact was, the bishops' declinature had been already revised by his majesty, and was intended to be used not only as an obstruction to their trial, but as a pretext for the dissolution of the assembly altogether.\* The crimes and vices of which the bishops stood accused, were open and flagrant, but while they threw an opprobrium upon the whole

\* Baroet's Memoirs, p. 91.

profession, they were such as were capable of being easily proved, if true, and if, upon investigation they had turned out groundless, or very palpably exaggerated, the infamy would have recoiled with overwhelming force upon the heads of their accusers. Men seldom suffer unjustly from specific charges undisguisedly brought against them; if guiltless, they have the means afforded them of fronting the calumny, and rebutting it. In such cases, it is always suspicious to decline a trial, it is when general, undefined allegations are asserted, and in a manner that admits of no opportunity of bringing them to the test, that unguarded, and comparatively innocent individuals, are ruined by their more cool, and more correct, but frequently more criminal traducers.

Whether legal, or rigidly proper, the refusal of the commissioner to cite the bishops was impolitic, and attended with more unfortunate consequences than a compliance would probably have been. A complaint, in form of a libel, was drawn up against all the body, in which the offences of the order, and their personal vices were accumulated. They were charged in a collective capacity, with transgressing the caveats by which former assemblies had limited them; of tyranny and oppression, behaving rather like lords of God's heritage, than as pastors of his flock; individually, with publicly teaching, or privately defending the doctrines of Rome and of Arminius, at least with conniving at their dissemination, and promoting their abettors; with simony, bribery, drunkenness, adultery, gaming, dishonesty, common swearing, and sabbath-breaking. The complainers were the principal nobility, gentry, ministers, and burgesses, not commissioners to the general assembly, who sent a copy of the libel in their own name, and in the name of all the other covenanters, also not members, to each of the presbyteries, within whose bounds the bishops resided at the time, or where their cathedral seats were, and appended to it the particular accusations against the respective offenders, with a petition to take cognizance of the complaint, and censure them agreeably to the nature of the offence, or make reference of the affair to the assembly. According to concert, all the presbyteries referred the complaint, and ordered it and the reference to be publicly read

from every pulpit within their jurisdiction, together with a citation to the bishops, to appear and answer to the particular allegations.

Every measure having been thus taken by the covenanters, to secure the return of their friends, and exclude their opponents, the tables issued a requisition, that all the noblemen who had signed the covenant, should meet at Glasgow, on the Saturday preceding the opening of the assembly, and that all the elders chosen as commissioners, should bring with them four assessors, to consult in private, or assist with their advice in the public deliberations. Hamilton, whose situation was far from enviable, being almost totally deserted by the other high officers of state, when the court of session sat down in Edinburgh, November 1st, endeavoured to prevail upon the lords to sign the king's covenant, but after a debate of three hours, he only succeeded with nine, two absented themselves, and four absolutely refused. His efforts to procure co-operation from the privy council, were not much more propitious. Before proceeding for Glasgow, he called them together, and informed them it was his majesty's pleasure, that Episcopacy might be limited, but not abolished, urging them to pass an act, declaring their approbation of the royal message. With this they were unwilling to comply, and when he required the king's advocate, Sir Thomas Hope, to prepare for defending Episcopacy, as agreeable to the law of Scotland, he replied he could not in his conscience do so, for he considered it both contrary to the word of God, and to the constitution of the church, and the law of the land.

On his arrival in Glasgow, the commissioner found that city overflowing with the commission of the assembly, assessors, and immense crowds attracted from all the quarters of the kingdom. He came attended by the lords of the privy council, and a numerous train whom he brought from Hamilton, and was met by the greater part of the nobility and chief men among the covenanters. Mutual civilities were interchanged with much seeming cordiality, he protesting that nothing dissonant to scripture, equity and law would be asked, and they assuring him that nothing reasonable would

be denied. The first day passed in matters of form,\* but on the next, Hamilton, who had received private instructions from the bishop of Ross, as to the manner of conducting himself, so as best to render the meeting of the assembly abortive, objected to a moderator being chosen, until the commissions of the members were examined, for if any voted, whose commissions were afterward found null, considerable confusion might ensue; custom and necessity were urged in reply. His grace then protested, that this decision should not import his approbation of the commission of any of the voters, to which he might afterward produce objections; and he also protested, that the nomination of a moderator should not be prejudicial to the rights of the lords of the clergy, in any office, dignity, or privilege, which the law or custom had

\* On the 21st of November, the assembly convened in the High Church, which day, and for two weeks thereafter, the multitudes assembled were so exceeding great, that the members could not get access without the assistance of the magistrates and town guard, of the nobles and gentry, and sometimes at first, the lord commissioner in person, was pleased to make way for the members, but they were well accommodated after they got in. The lord commissioner sat in a chair of state, and at his feet before and on each side, the lords of the privy council. Traquair, treasurer, Roxburgh, privy-seal, [Lorn now] Argyle, Marr, Moray, Angus, Lauderdale, Wigton, Glencairn, Perth, Tulibardin, Galloway, Haddington, Kinghorn, Southesk, Linlithgow, Dalziel, Dumfries, Queensberry, Belhaven, Almont, Sir John Hay, clerk-register, Sir James Carmichael, treasurer-depute, Sir William Elphinston, justice-general, Sir James Hamilton, justice-clerk, Sir Lewis Stewart of Blackhall, and several others. The covenanting lords and barons sat at a long table in the floor, with their assessors, which consisted of almost the whole barons of note through Scotland, and in general, from all the fifty-three presbyteries, there were three commissioners—except from a very few—who sat all commodiously in seats rising up by degrees round the long table. A little table was set in the midst for the moderator and clerk. At the end was a high room, prepared chiefly for the young nobility, lords Montgomery, Fleeming, Boyd, Erskine, Linton, Crichton, Levingstone, Rosse, Maitland, Drummond, Drumlanrick, Keir, and Elcho, but the same was crowded with great numbers of other gentlemen, and the vaults above were filled with ladies and gentlemen. Mr. Bell of Glasgow, as the oldest minister, was appointed to preach, a wise choice, which prevented any inflammatory harangue from younger men of fiery zeal, and stouter lungs. His sermon was lost to the greater part of the auditory, not above a sixth part of whom could hear him distinctly. Baillie, vol. i. p. 96, 97.

given them: He then presented the declinature of the bishops, which he desired to be read, but the assembly, in a tumultuous manner, and after a stormy discussion, refused to hear it, till they were constituted, when they would be ready to receive and answer any paper it might please his grace to present. A protest was taken against this refusal, as unjust, which was followed by a counter one, and the day was wasted by a multiplicity of protestations, "with which," says Baillie, "all were wearied, except the clerk *pro tempore*, who, with every one received a piece of gold." In the end, Henderson was chosen moderator, and Johnston of Warriston, appointed the clerk. During the rest of the week, they proceeded to examine the commission of the members, and their decisions in any disputed cases, evinced clearly the temper and construction of the assembly. The covenanters' were uniformly sustained. But it deserves to be remarked, that no objections were ever started against their moral characters; they chiefly rested upon points of form, which, when parties run high, are in common, pretty easily got over to attain an end.

At length the declinature of the bishops was read; they refused to acknowledge the assembly as a competent tribunal;—from the choice of the commissioners having been chiefly directed by a majority of laics; from the presence of lay elders at their meeting; and from the absurdity of requiring archbishops and bishops, who are superior to other pastors, contrary to all reason and practice of the Christian church, to submit to be judged by a mixed meeting of presbyters and laics, convening without lawful authority of the church, and of which the primate was not allowed to be moderator. In a long but conclusive reply, the practice of admitting lay elders to vote in the choice of commissioners, and to have a voice in the decisions of the assembly, was shown to have existed from the time of the reformation; \* to have been exercised and ap-

\* The early original registers of the church had been long a missing. It was known they had been mutilated, and it was suspected they had been destroyed. At the meeting of this assembly, to the great joy of the whole, these important documents, which formed useful and authoritative guides in their future proceedings, were discovered to be safe, and not materially deteriorated. Mr. Archibald Johnston, their new clerk, produced, at their

proved, even in those very meetings by which Episcopacy was introduced, and under Episcopacy itself. But the assembly founded their proceedings not on the acts of councils; they rested on the example of the apostles, in whose times there were meetings of churchmen and laymen, and on the established order of their own reformed church, where no superior lords, archbishops, or bishops were known; and in which, by the second book of discipline it is ordained, that in all assemblies a moderator shall be chosen by common consent of the whole brethren convened, nor was any constant moderator ever mentioned before the usurpations of the prelates. Much prolix reasoning upon both sides ensued, till, worn out with the disputations, the moderator interposed, by stating the question:—Whether or not this assembly found themselves competent judges of the bishops, notwithstanding their declination?

When he was about to put the vote, the commissioner arose, and addressed them to the following effect:—"I should have perhaps continued a little longer with you, if you had

third sederunt, five books, which, with the two he had received from Mr. Sandilands, their former clerk, were, he said, sufficient to make up a perfect register of the church from the reformation. He informed the assembly, that the first two contained the acts of the assembly from the reformation to the year 1572, and were signed by Mr. John Gray, their clerk; the third contained the acts of assembly from that to the year 1579, except that a few leaves, from the 22d to the 27th, which contained archbishop Adamson's process, were torn out; the fourth contained the acts of assembly from the year 1586, to the year 1589, and were written and signed on the margin by Mr. James Ritchie, and Mr. Thomas Nicolson, clerks successive; and the fifth and greatest vol. contained the acts of assembly from the year 1590, to the year 1590, and was margined by the hand writ. of the assembly clerks; and farther he informed the assembly, that he received the first from Alexander Blair, writer, who was first servant [secretary or clerk], to Mr. Robert Winram, depute clerk to the modification of stipends, and succeeded him in that office, under Mr. Thomas Nicolson, clerk to the assembly; the fifth he had only a loan of from a minister. When the moderator proposed to authenticate these registers, Mr. John Row told them he had in his hand a copy of the book of polity, subscribed by Mr. James Ritchie, which would prove his hand writing; and Mr. Johnston added, he had the original book of polity written on Lombard paper, which would confirm it.—Journal of the Assemb. MSS. Stevenson, vol. ii. p. 494.

not fallen upon a point which doth enforce my deserting you. You are now about to settle the lawfulness of this judicatory and the competency of it against the bishops whom you have cited thither, neither of which I can allow, if I shall discharge either my duty toward God, or loyalty toward my gracious master. This is a day to me both of gladness and grief; gladness in having fulfilled his majesty's promise, in calling together this assembly, and in having seen it meet, and that I shall now, in his majesty's name, make good to you all his most gracious offers in his royal proclamation;—of grief, in that you, who have called so much for a free assembly, and having one, most free in his majesty's intentions, granted you, have so mangled and marred the matter, that there is not the least shadow of freedom to be discerned in this your meeting; but his majesty's sincere intentions being to perform, in a lawful assembly, all he hath promised in his gracious proclamation, if you find out a way how these things may pass, and be performed even in this assembly, such as it is, and yet his majesty not made to approve any way the illegalities and nullities of it, I am, by his majesty's command, ready to do it, and content to advise with you how it may be done."

After this, he ordered the king's concessions, as they had been formerly proclaimed, to be read, and having taken instruments, that by producing and signing them, he had made his majesty's intentions known, but that in so delivering and acknowledging them, the lawfulness of the assembly was not acknowledged.

When the clerk had done reading, the commissioner resumed:—He regretted that he could not go on with them, while ruling elders were permitted to sit, and ministers chosen by laymen were commissioners;—uttered a sharp invective against the manner in which the bishops had been cited, and proposed in conclusion:—"If you will dissolve yourselves, and amend all your errors in a new election, I will, with all convenient speed, address myself to his majesty, and use the utmost of my intercession with his sacred majesty, for the indiction of a new assembly, before the meeting whereof, all these things now challenged may be amended. If you shall refuse this offer, his majesty will then declare to

the whole world that you are disturbers of the peace of this church and state, both by introducing of lay elders against the laws and practices of this church and kingdom, and by going about to abolish Episcopal government, which, at this present, stands established by both these said laws."

The moderator professed, on the part of the assembly, the sincerest loyalty to the king. It was the way in which they had walked in time past, had been the glory of the reformed churches, and they accounted it their glory, in a special manner, to give unto kings and magistrates what belongs to their places. The assembly having been indicted by his majesty, and consisting of such members regularly authorized, as by the acts and practices in former times, had a right to represent the church, they considered themselves a free assembly; and he trusted that whatsoever business might be brought before it, would be so managed as to evince that all things were conducted according to the law of God and reason, and they hoped that when his majesty had the truth told him, he would rather approve than be displeased with their proceedings. He then asked if he should again put the question:—Whether they were competent to judge the bishops? But the commissioner urged that this might be deferred. "Nay, with your grace's permission, that cannot be," said the moderator; "for it is requisite that it be put immediately after the declination." Then, said the commissioner, it is requisite I should be gone. The moderator, lord Loudon, and the earl of Rothes, entreated him to stay, and, acknowledging that he had done them a great favour in procuring the assembly, begged that he would not desert it now that it was constituted, or by protestation attempt to fetter their deliberations. Hamilton, affected to tears, appealed to God that he had laboured as a good Christian, a loyal subject, and kind countryman, for the good of the Scottish church, and that there was nothing within the bounds of his commission that he would not do, but lamented his inability to bring matters to such an agreeable conclusion as he wished. Some further reasoning ensued, which he stopped, by requesting the moderator to close the meeting by prayer; but this being refused, he renewed his protestations, in the name of his majesty, of himself, and



of the lords of the clergy, that no act there should imply the royal consent, be binding upon any of the subjects, or prejudicial to any of their interests. He dissolved the assembly in the king's name, and forbade their further proceedings.

Roths, who had come prepared, presented a protest, which was read while the commissioner and council were in the act of withdrawing; Argyll only remained behind to hear the reasonings. From the assembly the marquis proceeded to hold a council, in which he expressed his vexation at the uneasiness and sorrow which this breach would occasion to the king, and how anxious he was to have prevented it; but their rebellious conduct had extorted what was done. He therefore exhorted them to remain steadfast, and discharge their duty to their king, assuring them they should eventually be no losers; yet, notwithstanding, he durst not produce the proclamation for dissolving the assembly, so little could he depend upon those from whom he naturally ought to have looked for support. In the evening, however, he ascertained their inclinations, and next morning obtained several of their signatures; after which, he ordered it to be published with the accustomed formalities, discharging all pretended commissioners,\* and other members of the said assembly, from all farther meeting and convening, treating and concluding any thing belonging to the said assembly, under the pain of treason. This also was met by a protest, declaring that: —If the commissioner's grace should depart, and leave the church and kingdom in its present disorder, notwithstanding his dissolution, it was both lawful and necessary for the assembly, indicted by his majesty, to sit still and continue their meeting till they had tried, judged, and censured all the bygone evils and their authors, and provided a solid course for continuing God's truth in the land with purity and liberty, according to his word, their oath, the confession of faith, and lawful constitutions of the church; and farther, that they, by the grace

\* The earl of Roths, in the assembly, had made use of the term, "pretended" bishops. In the proclamation, the commissioner applies the same epithet to the commissioners of the assembly. The spirit of irritation, which subsisted on both sides, is perhaps marked, in these little apparently trifling matters, more distinctly than in greater occasions.

of God, would sit still and continue, till after the final settling and conclusion of all matters, the assembly were dissolved by common consent of all the members thereof. And this resolution they justified by the original constitution of the Scottish church, which they asserted his majesty had revived and recognised, by subscribing the confession of faith made in the years 1580-90; and also by early precedent, when the assemblies had exercised a similar right. "The king's majesty, his commissioner, and privy council," said they, "have urged numbers in this kingdom to subscribe the confession of faith made in the years 1580-90, and so to return to the doctrine and discipline of the church as it was then professed; but it is clear, by the doctrine and discipline of this church, contained in the book of policy, then registrated in the books of assembly, and subscribed by the presbyteries of this church, that it was most unlawful in itself, and prejudicial to those privileges which Christ in his word hath left to his church to dissolve or break up the assembly of this church, or to stop their proceedings, in making acts for the welfare of the church, or execution of discipline against offenders, and so to make it appear that religion and church government should depend absolutely upon the pleasure of the prince." "The assemblies of this church," it was farther contended, "had enjoyed the freedom of uninterrupted sitting, notwithstanding any countermand, as was evident by their records, particularly by the register of the general assembly holden 1582, which being charged with letters of horning, by the king's majesty's commissioner and council, to stay their process against Mr. Robert Montgomery, pretended bishop of Glasgow, or otherwise to dissolve and rise, did, notwithstanding, show their liberty and freedom, by continuing to sit still, and going on in that process to the end thereof; and thereafter, by letter to his majesty, did show clearly how far his majesty had, upon misinformation, prejudged the prerogative of Jesus Christ, and the liberties of this church, and did enact and ordain that none should procure any such warrant or charge, under the pain of excommunication. And now," it was added, "to dissolve, after so many supplications and complaints, after so many reiterated promises, such long attendance and

expectation, and so many references of processes from presbyteries, when the assembly had been publicly indicted, formally constituted, and had sat seven days, were to offend God, condemn the subjects' petitions, deceive the hopes which had been raised of a redress of the calamities of the church and kingdom, multiply the combustions of the church, make every man hereafter despair of ever seeing religion established, innovations removed, the subjects' complaints respected, or the offenders punished with consent of authority, and thus, by casting the church loose and desolate, abandon all to ruin.

Placed in a very trying situation, the marquis of Hamilton's conduct was exposed, as all unsuccessful statesmen's in troublous times is, to blame, both from those he attempted to support, and they whom he opposed. The Scottish Episcopalians accused him of holding intelligence with the opposite party, and of encouraging them in their opposition.\* This charge was evidently groundless. Perhaps it would not be equally easy to acquit him of having been a party with the king, in attempting to deceive the covenanters. Moderate men, who were not then acquainted with his secret instructions, blamed his precipitancy in urging the bishops' declination, and forcing the assembly to proceed at so early a period to consider the question respecting their powers to sit in judgment upon them, which, they thought, he ought to have

\* Guthrie has, besides, a charge against Hamilton, that, at his first interview with the covenanters, he behaved distantly and harshly; but when they returned to him on the morrow, they found him more plausible in treating with them, even before the privy council; and having conveyed them through the public room, he drew them into a private gallery, where he expressed himself as follows:—"My lords and gentlemen, I spoke to you before those lords of council, as the king's commissioner, now, there being none present but yourselves, I speak to you as a kindly Scottishman. If you go on with courage and resolution, you will carry what you please; but if you faint, and give ground in the least, you are undone. A word is enough to wise men." The whole of Hamilton's proceedings, whatever opinion may be formed of them in other respects, evince unshaken loyalty to his master; and if he erred in any thing, it was in being too devoted to his will. This alone would render the accuracy of the bishop's anecdote doubtful; but when we see him afterward vigorously opposing men, in whose hands his life must have been placed, if the story had been true, it renders it more than doubtful.—Guthrie's Mem. p. 48. Baillie's Letters, vol. i. p. 116.

delayed as long as possible, and could have done with little difficulty, 'if he had only at first allowed them to examine freely the books of common prayer, the canons, and the doctrinal points of Arminianism, where, although all were agreed, yet protracted discussion might have been encouraged, and their final condemnation would have soothed the minds of the most violent ministers, prevented that exasperation against the prelates which their declinature produced; and if it had not averted, might at least have softened the fall of the hierarchy.

As nothing could prevail upon Hamilton to remain in the assembly, the moderator, with admirable dexterity, turned his conduct, in leaving them, into a strong motive for their continuing to go forward, and not desert the cause of their master. "Seeing," said he, as the marquis left the room, "we perceived his grace, my lord commissioner, to be zealous of his royal master's commands, have we not good reason to be zealous toward our Lord, and to maintain the privileges of his kingdom? You all know that the work in hand hath had many difficulties, and yet hitherto the Lord hath helped and borne us through them all; therefore it becometh not us to be discouraged at our being deprived of human authority; but rather that ought to be a powerful motive to us to double our courage in answering the end for which we are convened." When he had spoken, lord Loudon, and a number of the members encouraged each other, by mutual exhortations, to remain firm. Their purpose was fixed, by what appeared to them as an evidence of the divine favour, and what certainly operated in securing the countenance of man. At a moment when they were afraid lest several would have turned back, and when the defection of any one leading member might have been ruinous, numbers were induced to declare themselves, and join openly with them.

At a momentous crisis, sometimes a little incident has a wonderful effect, and one such on this occasion produced the most lively sensations of joy. Lord Erskine, son of the earl of Marr, a young nobleman of great promise, deeply affected with the addresses he had heard, came into the midst of the assembly, and with tears besought that he might be admitted

to subscribe the covenant, lamenting that he had so long omitted this sacred duty, and his example was followed by several others. But what confirmed, if it did not originate, their resolution not to disperse, was the approbation of a considerable part of the privy council, and the open accession of the earl of Argyle, the most powerful nobleman in the west, who was imagined at the time to stand high in the king's confidence, \* and whose presence, after the commissioner had left them, some affected to consider as an oblique hint, that the meeting had the secret approval, although not the public sanction of government—a presumption which satisfied the loyal scruples of a few, half hesitating brethren.

The departure of the commissioner, was followed by a free and unrestrained examination of all the evils of which they complained, and of all their causes. The six assemblies, since the accession of James to the English crown, which were considered the sources of the whole dissensions in the church and state, were declared null and void, upon reasons which even Hume is constrained to allow were “pretty reasonable.” † From the assembly held at Linlithgow, 1606, eight of the most able ministers of the church, had been forcibly detained. The acts were sent down framed from court, and one, ordaining bishops to be constant moderators of general assemblies, which never was voted, was inserted among them. In that held at Glasgow, 1608, nobles and barons were sent thither to vote by the simple mandate of the king, besides four or five members from several presbyteries, and thirteen bishops who had no commission. Against the assembly of 1616, at Aberdeen, notorious bribery was urged, and a shameful substitution by the primate, of sixteen of his own creatures, in the room of sixteen lawfully chosen commissioners. For the meeting at St. Andrews, no one contended, its illegality stood undisputed. But the objections brought against that of Perth, 1618, were the most numerous, as it had been the most noxious. Its indiction was pronounced informal. The archbishop of St. Andrews assumed the chair as moderator without election. Members

\* Baillie, vol. i. p. 119.

† History of England, vol. vi.

regularly chosen, but suspected of being opposed to court measures, were struck out, to make room for others who were expected to be more pliable, and the manner of putting the vote, in which an improper use was made of the king's name, to influence the members, was of itself oppressive, and sufficient to annul their proceedings.

The moderator, in pronouncing the decree of the assembly against the six corrupt convocations, expressed his hope that they would now only remain as so many beacons, that the church might not again strike on such rocks. As a natural consequence of these assemblies being declared illegal, and their proceedings annulled, all the oaths of conformity imposed by the bishops became also illegal, and the ministers from whom they had been exacted at their admission, were released from their obligation. Presbyteries, and other church judicatures, who had been unjustly and violently obstructed by the bishops, were restored to their original rights. The articles of Perth, and whatever these assemblies had enacted, were rescinded, as contrary to the original Confession of Faith, by which they were held to have been abjured; but as this confession had been taken in three different senses, they ordered it to be subscribed anew, with an explanatory clause, in which the abjuration was expressly affirmed, and the meaning in which the covenanters understood it, unambiguously expressed. The liturgy and canons were condemned, as imposed without warrant from the church; the forms of ordination and consecration, as introduced and practised without warrant either of civil or ecclesiastical authority; and the high court of commission, as having neither act of assembly nor of parliament in its favour, and regulated by no law, human or divine.

Episcopacy thus abolished, and the crooked, oppressive, false, and disingenuous policy of two reigns entirely subverted, the pillars of the divine hierarchy were tried and disposed of. Two archbishops, and six bishops were excommunicated, four were deposed,\* and two, upon making humble submis-

\* The bishop of Argyle had his sentence mitigated by an opportune witticism. When it came to the voting, Mr. Alexander Carse, who was first called on, answered, "It is said of one of the Roman consuls, that he was so vigil-

sion, were only suspended from their ecclesiastical functions, The charges which the assembly sustained, were Arminian doctrines, superstitious, and vapid innovations, illegal imposition of oaths, tyranny and oppression, in suspending and deposing, for no cause, but adherence to the principles of the Scottish church; some of her worthiest members. The imputations against their private conduct, were an utter disregard of decency, and a relaxation of morals, which had been sufficient in less scrupulous times, to have authorized their being removed from stations of such high responsibility, as that of teachers of religion. While gloomy, morose, unsocial fanaticism is urged and reiterated against the covenanters, and even alleged as an excuse for the excesses of their opponents, it is unfair to conceal the flagrant improprieties of the Episcopalian clergy, which had no inconsiderable effect in rendering the others more scrupulous and precise in the indulgence of even innocent amusements; the irregularities of the former, produced, perhaps, by a terror of being esteemed puritans, naturally created a necessity for the latter avoiding even the appearance of deviating from the most rigid line of propriety.

To prevent the recurrence of that most deadly of all the Episcopalian sins—and which is not only inconsistent with, but diametrically opposite to both the spirit and the letter of a Christian pastor's commission—civil power in churchmen, an act was passed against ministers holding any seats in parliament, exercising the office of justice of peace, lords of session, or judges in the exchequer. But, as by this deed, ministers were excluded from the estates, the elders who were members, were solicited to exert themselves to obtain a ratification in parliament, of the acts of this assembly. Before closing the assembly, they asserted their right to meet by appointing their next session to be at Edinburgh, on the third Wednesday of July, 1639, but at the same time, reserving the right of the king, by ordaining, that if it should please

ant, that he slept none all his time, for he entered on his office in the morning, and was put from it ere night. So it was with this prelate, for he was not well warmed in his cathedral chair, till both chair and cushion were taken from him, therefore, depose him only."

his majesty to indict a general assembly, all presbyteries, universities, and burghs, should send their commissioners to keep the time and place he should appoint, and it appears evident, notwithstanding all that had occurred, that the king might have retained unimpaired, his civil power and prerogative, according to the constitution of the state, could he only have been content not to have forced upon their consciences, a form of church government, and a ritual abhorrent to the nation, had he complied with what it is never justifiable, and seldom safe for a king to refuse, the universal prayer of a people, goaded to the verge of resistance by an imperious party, who claimed the exclusive praise of loyalty, and abused their sole access to the royal ear; for the Presbyterians were far from wishing to come to a rupture, and in their supplication which they presented to him, soliciting his sanction to their acts, they entreat his compliance in language the reverse of disaffection, and which their stubborn, inflexible opposition ought to have freed from the charge of sycophancy, or insincerity. "We humbly beg," say they, "and certainly expect, that from the bright beams of your majesty's countenance, shining on this your majesty's own kingdom and people, all our storms shall be changed into a comfortable calm, and sweet sunshine, and that your majesty's ratification in the ensuing parliament, shall settle us in such a firmness and stability in our religion, as shall add a further lustre unto your majesty's glorious diadem, and make us a blessed people under your majesty's long and prosperous reign, which we beseech Him who hath directed us in our affairs, and by whom kings reign, to grant unto your majesty, to the admiration of all the world, the astonishment of your enemies, and comfort of the godly." But Charles preferred the hollow flattery, and the idle state of a few worthless prelates, to the esteem, affection, and gratitude of such men, and rather than give up a liturgy, at best of very equivocal utility, and a hierarchy burdensome to the state, and hateful to the people, he was willing to involve his kingdom in all the horrors of civil war, and stake his life and his crown upon the issue.

The work of reformation thus thoroughly and unexpectedly completed, the assembly, after having sat twenty-six days,



rose triumphantly. "We have now cast down," said Henderson, "the walls of Jericho, let him that rebuildeth them beware of the curse of Hiel the Bethelite." To the heroism and patriotism of this assembly, Scotland owes much. The wisdom of their measures, was not less conspicuous than their courage and their zeal. The leaders were always prepared for every event, and the decided step they took in disregarding the commissioner's orders to dissolve, was not less necessary for their own individual safety, than it has been ultimately advantageous to their country. Had they dissolved without razing the foundations of prelacy, it would not have been long ere the fabric had been rebuilt, with greater caution perhaps, but with more durability, and those seeds of liberty which they watered, and which braved the storms of half a century, ere they ripened into fruit, had probably never blossomed. Had Charles succeeded in effecting his purpose in Scotland, in ruling there by his prerogative, England, divided as it was, would have been forced to bend under the yoke of despotism, and Britain might have had yet to struggle for rational freedom. The power of this assembly to annul what had received the sanction of parliament, has been questioned. A case of such imperious urgency would have justified them, had they even done this. When all is at hazard, when fortune, liberty, and life are in peril, it is no time to search for precedents. Self-preservation tells a man, to provide first against danger, and afterward, he may search for precedents, or ask for bills of indemnity; but the assembly did not do this, they annulled what they had a right to annul, the irregular and illegal proceedings of their own assemblies, and if, when they were found to be nullities, the acts of parliament, which proceeded upon the supposition of their being regular and according to law, fell to the ground, the blame must attach to those who built upon the sand, not to those who exhibited the frailty of the foundation.

After he left the assembly, the marquis set out for Hamilton, whence, after depositing some of the bishops in a place of safety, he proceeded to Edinburgh, and reiterated his proclamation, dissolving the assembly, which was attended with the usual accompaniment of a formal protest. Vexed at the

failure of his attempts, and worn out with mental anxiety and bodily fatigue, the marquis was detained in Scotland for some time by indisposition; but about the close of December he set out for London, to exculpate himself to the king, to learn the real state of the armament, and concert a plan of operations for a contest, which appeared now inevitable.

THE  
HISTORY OF SCOTLAND.

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BOOK V.

**T**HE year 1639 is remarkable, in the history of Scotland, for the commencement of hostilities between the king and his subjects. Charles, who had long looked forward to this issue of his disputes, had his preparations in a formidable state of forwardness; his artillery was ready in June preceding, arms to a considerable extent were commissioned from the continent, his fleet was equipped, and he had two hundred thousand pounds in his exchequer. In the month of January Hamilton arrived at Whitehall, and learned the intentions of his majesty. He proposed to lead in person an army of thirty thousand horse and foot, which was to assemble at York, where all the nobility, with their attendants, were summoned, under the pretence of repelling invasion. Berwick and Carlisle were to be garrisoned; the west coast invaded from Ireland, by the earl of Antrim, who was to land in Argyleshire; and the navy, with a land army of five thousand men, was to co-operate with Huntly in the north; first secure that quarter, and then march south, while Charles advanced by the east coast.

The king's armament had neither been so secretly, nor could it so speedily be executed, as not to communicate alarm to the Scots, whose leaders were too determined, and too acute, to allow themselves to be either dismayed at its magnitude, or taken unawares at its approach. It is impossible to say exactly at what time they first began to entertain the ideas of resistance, because the steps by which they were led on, till they made their ultimate appeal to arms, arose so

gradually out of the circumstances in which they were placed, that had it not been for their uncommon sagacity, and their accurate intelligence, the king must inevitably have got the start. They soon, however, received effectual pecuniary aid from an unexpected quarter, which enabled them to purchase arms and ammunition. France and Holland had combined against Spain, with the intention of seizing and dividing the Low Countries, and were anxious to secure the neutrality of England, whose maritime power they dreaded; and Richlieu sent D'Estrades to propose any terms to obtain this, and even promised the assistance of French troops to aid him in reducing his rebellious subjects; but Charles rejected the proposals with disdain, and told the ambassador who made them, that he had a squadron ready, and, if necessary, would cross the sea with fifteen thousand men to prevent the conquest;—thanked the French minister for his offer, but said, he had no need of any foreign assistance to reduce his subjects, his own authority, and the laws of England, were sufficient to compel them to do their duty.

Richlieu's pride was irritated, and, in revenge, he determined to avail himself of the troubles in Scotland, for giving employment to Charles. In a letter to D'Estrades he tells him, "before the end of twelve months, the king and queen of England shall repent having refused the proposal which you made them from his majesty, and, if God blesses our undertaking, his majesty will have no great reason to regret that England has rejected his offers." A hundred thousand crowns were in consequence furnished by the cardinal, who employed his almoner, Chambers, to reside as a secret emissary in Scotland; these were employed on the continent in the purchase of military stores, which were clandestinely imported by the Scottish merchants.

Alexander Leslie, who had greatly distinguished himself in Gustavus' service, was invited by his chief, the earl of Rothes, to return to his native land, and assist in its defence; and by his influence the most experienced officers, who had been trained under the same great leader, were recalled to instruct their countrymen in the use of arms. There was, however, one main obstacle to be overcome; the nation had,

during a long period, been unaccustomed to warfare, and now, when it appeared in the form of a contest with their king, a number were ready to cloak their want of military ardour under the plea of the duty they owed to their sovereign, and not a few of those who had conformed were impressed with the notions of passive obedience, which the prelates so constantly rung in their ears; they conceived it might be just and necessary to resist the monarch, so long as this could be done in the assembly or the estates, but were not equally persuaded of the propriety of doing so in the field; but when the king's proclamation appeared, denouncing them as traitors ready to invade England, no man could longer remain neuter, and it became necessary their minds should be resolved.

A manifesto was ordered by the tables, to be drawn up and circulated, entitled, *A State of the Question, and, Reasons for Defensive War*. In it they say the question is not about obeying his majesty; this they never denied. They cheerfully acknowledge their duty to honour, obey, and fear the king; but they cannot see their obligation to obey evil, and wicked superiors, in an evil thing; for if God command one thing, and kings another, they consider it their duty to obey God rather than man. Nor is the question about invasion; this, they add, our consciences abhor, and our actions deny. It is simply about our own defence and safety, and here there is a wide difference between a king residing in the kingdom, attentive to the statements of both parties, and correctly informed about the subject of dispute—and a king residing in a different country, listening only to one party, and misinformed by our adversaries. Another weighty difference is, between private persons, or a few subordinate magistrates taking arms for resistance, and a whole nation standing to their own defence, between a people rising against law and reason, that they may throw off the bonds of obedience, and a people holding fast their allegiance to their sovereign, and supplicating for religion and justice. The question then resolves itself into this:—In such a case is defensive war lawful? or ought the people to defend themselves against extreme violence and oppression, bringing

utter ruin and desolation on the kirk and kingdom, upon themselves and their posterity? That they ought, they deduced from a variety of reasons;—from the very absurdity of absolute sovereignty, and unlimited authority residing in princes; from the end of magistracy instituted for the good of the people, and their defence; the body of the magistrate is mortal, but the people, as a society, is immortal, and therefore it were a direct overturning of all the foundations of policy and government, to prefer subjection to the prince, to the preservation of the commonwealth, or to expose the public, wherein every man's person, family, and private estate are contained, to be a prey to the fury of the prince, rather than by all our power to defend and preserve the commonwealth; from the law of nature, as mariners and passengers may save themselves, by resisting him who, sitting at the helm, would drive the vessel against a rock, or by hindering the prince himself, not only by supplication of mouth, but by strength of hand, to govern the ship to their certain shipwreck; from examples in scripture; from the mutual contract between king and people, acknowledged in the coronation ceremony; from acts of parliament, ratifying the authority of the three estates; from their own civil and ecclesiastical history; and from the covenant lately sworn and subscribed, binding us to defend the king's majesty's person in defence of the true religion, and to defend the true religion against all persons whatsoever.

Nor were the pulpits silent; the necessity of self-defence was insisted on, the dangers that threatened religion and the commonwealth, were strongly pointed out, and the sin of standing back in the day of trouble, was threatened with the curse pronounced against those who came not to the help of the Lord against the mighty. Their arguments and exhortations were not ineffectual; a spirit of enthusiastic zeal for the cause was universally excited, and every where men pressed to enlist under the banner of the covenant. But while endeavouring to rouse the martial spirit of their countrymen, they used every means to assure the English nation of their ardent desire for peace, and their aversion to the smallest acts of hostility against them. In vain did the king interdict the

publication of Scottish declarations, they were spread extensively through the country, and a fellow feeling was excited in the breasts of the Puritans, for men whose principles and wrongs were so similar to their own. With their open avowal of their intention to defend themselves against invasion, the tables adopted the most vigorous and wise measures for carrying their intention into effect; they not only attempted to secure the friendship of the people of England, by explaining to them their motives, but wisely rejected all foreign assistance, as that which might have given them umbrage, although they had heard that the king had entered into treaty for some Spanish veterans from the Netherlands, of whose aid he was only deprived by accidental circumstances. A supreme committee was appointed to reside at Edinburgh, with full executive powers, and subordinate ones in every shire, for consulting on its proper defence, and providing arms. The commanders, who had served abroad, were distributed throughout the counties, to instruct the officers, and exercise the men, and every fourth man was ordered to be levied. All expert smiths were put in requisition, for the fabrication of musquets, carabines, pole-axes, Lochaber-axes, and halberts, and magazines and beacons were established in each shire.\* A permanent body of two thousand foot were placed

\* The following were the instructions for alarming the country in case of danger. "That no shire might want advertisement, it was thought fit that beacons should be set up in all eminent places of the country, that so any danger that appeared at sea, might be made known by the beacons running along the country; which beacons were a long and strong tree, set up with a long iron pole across the head of it, carrying on it an iron grate for holding a fire, and an iron brander fixed on a stalk in the middle of it, for holding a tar barrel, and the manner of advertisement was this:—The first fire was upon the ground, beside the beacon, on the sight whereof, all were to provide themselves to stand to their arms, and set out watches to advertise others. The next advertisement was by two fires, the one on the ground, and the other on the large grate, on the sight whereof, all were to come out, first to the rendezvous of their company, and then of their regiment, and if the danger was imminent, to the two former signs were added, that of the burning tar barrel, and lest, through rain or mist, or the people being at rest, these beacons should prove abortive of the end designed, the next adjacent gentlemen were to warn all betwixt that and the next beacon, going out one way and coming in another. Inst. No. 6.

under Monro, as a seminary for training the rest of the country, and to be always ready, either to repress any sudden incursion on the borders, or overawe any appearance of insubordination among themselves, and for their pay, the nobles borrowed from Mr. William Dick of Priestfield, afterward provost of Edinburgh, 200,000 merks, and gave their joint bond for that sum, till money could otherwise be raised. Argyle undertook to maintain nine hundred men, for the protection of the West coast from the Macdonalds of the Isles, and the arrival of Antrim, their chief, from Ireland.

The king's forces, on the appointed day, assembled at York, amounting to three thousand horse, and twenty thousand foot, the command of which was intrusted to the earl of Arundel, a nobleman of great family, but of no military experience. The earl of Essex, who had seen considerable service, and was extremely popular among the soldiery, was appointed lieutenant general. The earl of Holland, said to be a favourite of the queen, was general of the horse. In addition to the funds in the exchequer, the clergy were called upon by Laud, to contribute, and the Papists, by the influence of the queen, came liberally forward to support his majesty in the Episcopal crusade. The Scots, though unwilling to commence any warlike operations, yet, aware of the danger of leaving enemies behind them, determined to secure their rear, before they advanced to meet the invader. Huntly had begun to arm in the north, the earls of Airly and Southesk in Angus, and Douglas in the south; they therefore planned the surprise of all the strong places not held by their friends. Edinburgh castle had only a feeble garrison, and was ill supplied, but when Leslie appeared before it, the captain refused to surrender, on which, after a short parley, a petard was brought to the outer gate, which was immediately blown open. Axes and hammers demolished the inner, and in less than half an hour, the covenanters, had possession without the loss of a man.

On the same day, Dunbarton was taken by stratagem. It was well garrisoned and supplied, and the governor was staunch to the opposite party, but being invited, or entering without suspicion, the church of Dunbarton on a fast, accom-



panied by the greater part of the soldiers, the provost of the town, and Campbell of Ardincaple, took the whole prisoners and the few who remained on the rock, at the first summons surrendered. \* Traquair's residence at Dalkeith, was taken possession of by Monro and 500 men, who found there the arms and ammunition intended for Edinburgh castle, a considerable quantity of provisions, and the regalia, which, in spite of his denunciations of treason, they carried off in triumph, and lodged in the fortress of the metropolis. The castles of Tantallon and Douglas, belonging to the marquis, who was a papist, were also both seized upon, and Carlaverock, protected by the vicinity of Carlisle, and well manned and provided, was the only strength of which they did not obtain possession.

In the north, where Huntly had collected a considerable force, appearances were more threatening. Against him, therefore, Montrose and Leslie were despatched. They appointed Turreff, a village in Aberdeenshire, north-west of Aberdeen, as the place of rendezvous for all the adherents of the covenant in that quarter, and soon found themselves at the head of a considerable body of men. Huntly, who was informed of the intended meeting, raised about two thousand five hundred horse, and advanced to disperse them, but they were too well posted to be attacked, and Montrose, who could not act without Leslie, who happened at the time to be absent, they gazed at each other, and without exchanging either courtesy or blows, Huntly retired, and next day Montrose returned south. The formidable array of Huntly at Turreff, demanded that he should either be rendered incapable of mischief, or attached as a friend, and the tables ordered their generals instantly to re-assemble their army; but Huntly had augmented his forces, and taken possession of Aberdeen, which he slenderly fortified with the assistance of the inhabitants, who were almost all non-covenanters. His orders were, however, to act entirely upon the defensive, until he should receive reinforcements from England, and for this purpose, he endeavoured to protract the time till their arrival, and proposed to Montrose, that he should remain on the south of the Gram-

\* Baillie, vol. i. p. 159.

pians, till it was ascertained whether there was any likelihood of a treaty being concluded between the king and the covenanters, he pledging himself to remain quiet within the bounds of his own lieutenancy. Montrose answered, he was ordered by the general assembly to visit the college of Aberdeen, which he intended to do, but in no hostile manner.

On the advance of Montrose, Huntly, who could not cope with him, and who alleged that he was restrained by his orders from fighting, retired homeward, and the doctors, and several other high Episcopalians, fled to Berwick. After visiting the college, in which only one professor was left, and demolishing the fortifications, he proceeded to Inverury, where he pitched his camp, and whence he sent to Huntly, requesting an interview. To this Huntly agreed, and the way in which it took place, is highly descriptive of the savage and suspicious manners of the age and country. "The place of interview between Huntly and Montrose, was mutually agreed to be Louiss, a country village, some five miles north of the covenanters' camp, and nine miles south of Strathbogie. There were twelve gentlemen appointed to be on each side, armed only with walking swords. Both parties kept the appointment, but before the parley, there was a gentleman deputed from either side, to search the counter party for hidden arms. Huntly afterward proceeded to the covenanters' camp, when a pacification for the north was agreed upon, Montrose to march south, and the marquis, agreeing not to disturb any of the covenanters within his bounds, at the same time signing a paper, in substance similar to the covenant, but yet so equivocally written, that the historian of the House of Gordon, very furiously accuses bishop Guthrie of falsehood, for asserting that it has the smallest resemblance. In the paper Huntly subscribed,\* he obliged himself to maintain the king's authority, together with the liberty and religion of the kingdom, which, as he would interpret it to mean Episcopacy, his own persuasion, and they Presbytery as what they intended, it is evident the partisans of each might with equal justice accuse the other of being mistaken; certain it is, however, that nei-

\* Straloch MS. History of Gordon.

ther were satisfied, although both separated, apparently considering every thing as terminated.

Montrose returned to Aberdeen with the army,\* and employing that species of argument, unfortunately too familiar to all ruling parties, he imposed the covenant upon the town, and the magistrates' subscription was accepted as an equivalent for a contribution, which perhaps, it might have been much more difficult to procure. While performing this pious service, Montrose invited Huntly to another conference, and Huntly, on receiving a safe conduct, sealed by the general, appeared at headquarters, where, after some preliminary conversation, the marquis was addressed, "My lord, seeing we are all now friends, will ye go south with us?" He replied, he was neither inclined nor prepared at the time, for such an excursion. "Your lordship," said the gallant Montrose,

\* Spalding gives a curious and particular account of this army, at their entry into Aberdeen. "They were estimate to be about 9000 men, horse and foot with their carriages; they had two cartons, or quarter cannons, following them, with twelve piece of other ordnance; they might easily come to Aberdeen that night, having daylight enough, but they would not come, but stentet their pavilions on the hill, and rested there all night. Upon the morrow, being Saturday 30th March, they came in order of battle, well armed, both on horse and foot, each horseman having at least five shot, with a carbine in his hand, two pistols, by his sides, and other two by his saddle; the pikemen in their ranks, with pike and sword; the musketeers in their ranks, with musket, staff, bandalier, sword, powder, ball, and match. Each company, both of horse and foot, had their captains, lieutenants, ensigns, serjeants, and other officers and commanders, all for the most part in buff coats; and in goodly order. They had five colours or ensigns, whereof the earl of Montrose had one, having the motto, "for religion, the covenant, and the country," the earl of Marischal had one, the earl of Kinghorn had one, and the town of Dundee had two. They had trumpeters to ilk company of horsemen, and drummers to ilk company of footmen; they had their meat, drink, and provisions carried with them. The marquis family, when they were dwelling in the town, had ribbons of a red, flesh colour, which they wore in their hats, and called it the royal ribband. Mostly all in this army had blue ribbands, called the covenanters' ribband. They entered Aberdeen about ten hours, and marched to the Links directly, where muster being made, all men were by sound of trumpet, in general Montrose' name, commanded to go to breakfast, either in the Links or in the town. The general himself, nobles, captains, commanders for the most part and soldiers, sat down in the Links, and of their own provision, with a servit on their knee, took breakfast.

“ would do well to go with us.” The marquis perceiving his aim, quickly answered, “ My lord, I came here to this town, upon assurance that I should come and go at my pleasure, without molestation, but I saw by the manner in which my lodging was guarded, that I was not left at liberty, and now, contrary to expectation, ye would take me, and whether I would or not, carry me to Edinburgh; this, in my opinion, seems neither fair nor honourable, however, my lord, give me my bond whilk I gave you at Inverury, and you shall have an answer.” On which the bond was delivered up, then he said, “ I will go with you,” and he and his eldest son, lord Gordon, were carried prisoners to Edinburgh, where they remained confined in the castle till the treaty. Wishart, in his romantic history of Montrose, is at a loss to account for Huntly’s antipathy to his hero, even after he had changed his party, except upon a principle of envy; the foregoing narrative will easily unravel the mystery, and shows that Huntly, without being envious, might justly be suspicious, both of the honour and promises of a man, whose own seal bore witness against him.

Leith was an object of too great national importance to be overlooked, and its fortification was undertaken with an enthusiasm equal to its importance. The ruins of the old works yet remained, but Sir Alexander Hamilton, who acted as engineer, abandoned the French lines, and traced out new, and more modern ones, according to the then improved state of the art. The first baskets of earth were carried by the noblemen, the chiefs of the covenanters, and all ranks emulated and encouraged each other in forwarding the labour; nor did ladies of distinction disdain to excite by their example, the more sturdy exertions of the men, in the transport of materials. Night and day there was no intermission, and the port speedily put in a respectable state of defence, secured the capital from assault by sea. The towns along the coast of Fife, were also hastily surrounded by batteries, on which ship-cannon were mounted, and Inchkeith and Inchcolm alone were neglected, and allowed to remain as points of rest for an enemy entering the Forth.

Hamilton, to whom the command of the fleet, much against

his inclination, was committed, received orders from the king while he lay at Yarmouth roads, desiring him to sail directly for the Frith of Forth, and endeavour to create some "awful diversion,"\* but the troops he had on board were so miserably trained, that out of about five thousand, scarcely two hundred could fire a musket. As soon as he appeared, the beacons were in a blaze, and in a short time, twenty thousand defenders guarded the shores of the Forth. Leith being inaccessible, he cast anchor in the roads, after sending a fruitless summons to the provost of Edinburgh, requiring the surrender of the castle, and of the port. His men, besides the sea sickness, were afflicted with the smallpox, and he was forced to land them on the barren islands, which the covenanters had neglected to occupy. He next sent an order to the town council, to publish a proclamation from the king, professing great affection for religion, and promising to defend it; and to allow the covenanters all the benefit of his majesty's and his commissioners' promises and offers, also, proffering a gracious pardon to them, if they gave up his castles and forts, laid down their arms and acknowledged his authority within eight days, but declaring all such traitors, as should not within that space, comply with the terms and submit, and that their estates should be given to their superiors or vassals continuing loyal, or contributing to suppress them. This order the council declined to obey, and requested he would excuse their refusal, as the estates were expected to meet in a few days, in obedience to the royal mandate, when the paper should be laid before them. With this he deemed it prudent to comply, and wrote in the meantime to his majesty, informing him of the strength of the covenanters, and advising him to treat.

When the members of the estates arrived in Edinburgh, they were met by a royal order, proroguing the parliament, which they submissively obeyed, after having appointed general Lesly commander-in-chief, with unlimited powers, accountable only for his conduct afterward to the ecclesiastical and civil courts,† and likewise nominated lord Balmerino,

\* Burnet's Mem. p. 121.

† Baillie, vol. i. p. 166.

governor of Edinburgh castle. A number of the noblemen and gentlemen, however, who had assembled, approved of the refusal of the magistrates to publish the proclamation, and assigned their reasons in a letter to the marquis:—Because, although it was an edict printed in a foreign country, and not warranted by act and authority of the council, lawfully convened within the kingdom, it yet denounced the penalty of high treason against all such as would not accept the offers it contained, “And your grace knows well,” they add, “that by the laws of this kingdom, treason and forfeiture of the lands, life, and estate of the meanest subject within the same, cannot be declared, but either in parliament, or in a supreme justice court, after citation and lawful probation, how much less of the whole peers and body of the kingdom, without either court, proof, or trial.” They conclude, by requesting that he would procure for them a free parliament, as the best remedy for settling all their affairs, but in the interim, desire, that he would point out some way in which their representations might reach the royal ear, as they were confident they could prove that they were loyal and upright subjects, and make it evident to his majesty and to the world, that their enemies are traitors to church and state.

A negotiation was in consequence entered into, and protracted by Charles’ desire, till he should hear of the advance of the royal army to the borders. The inactivity of Hamilton was ascribed, as he himself suspected it would be, to a treasonable correspondence with the enemy, but setting aside the express orders of Charles, it is unnecessary to look farther than to the force that he commanded for his excuse, and for his absolute inability to do any thing decisive. In the north there was no deficiency of untrained men, and in the Frith, had all his soldiers been picked, they were too few to have made any very serious impression, but more honourable motives have been assigned for his aversion to precipitate measures, his filial piety, and his affection for his country. His mother, who was a zealous covenanter, had raised some troops, whom she headed herself, and it was said, had expressed the heroic resolution of putting her son to death with her own hands, if he dared to land as an enemy in

his native country. His representations to Charles prevented the noble lady's resolution, if she indeed formed it, from being put to the test, he received orders to send two of his three regiments to Holy Island, and not long after, was summoned to headquarters himself. During his stay, he committed no ravages upon his countrymen, although he discharged his duty to his king, by interrupting the trade of Leith, and seizing and sending to the royal army, every munition of war, upon which he could lay his hands. What he could he did for Aboyne, he gave him officers, but to men accustomed only to obey their chieftains, and these chieftains unfit themselves to command, and unwilling to delegate their authority, the best officers could be of little service. A brief view of the comparatively unimportant affairs in the north at this period, will evince the impracticability of any thing having been effected, except a powerful, well disciplined force could have been sent to co-operate in that quarter.

The Gordons, dissatisfied with the imprisonment of their chief, were restless and anxious to rise, but wanted a leader, as lord Aboyne was in England, and the boys who were at home were too young for service. On hearing, however, that the covenanters' committee was to assemble at Turreff, they agreed that Sir John Gordon of Haddo, and Sir George Ogilvy of Banff, should have the joint command, and that under them, they would attempt to disperse the meeting. They advanced about 900 strong, with two fieldpieces, and coming unexpectedly upon the village, their adversaries, who had first notice of their approach from the sound of their trumpets, ran, but without any order, to arms. A few muskets, and a shot or two, from the artillery, were sufficient to disperse the crowd, who fled in the utmost confusion, but with no great loss. This action, known as the Trot of Turreff, inspired their hopes, and encouraged a body of the Highlanders to join them, and marching to Aberdeen, they took possession of the town, where they lived at free quarters upon the proselytes of the covenant. While here enjoying themselves, they were desired by Gordon of Straloch to return home, as having no commission from the king, it would be difficult to vindicate their conduct. With this advice they were preparing to comply, when they learned

that the covenanters of the north, under the earl of Seaforth, lord Lovat, the Dunbars, the Inneses of Moray, and the Grants of Strathspey, were in arms against them, and that Montrose was also preparing to attack... Envircned by enemies, they determined to crush their northern opponents, before the more formidable southern foe could advance... With nearly a thousand foot, and three hundred horse, they crossed the Spey, and about sunrise, encamped on an eminence nearly two miles from Elgin, where the enemy lay, amounting to between two and three thousand horse and foot. A parley ensued, in which it was agreed, that the one should not pass south beyond the river, and the other returned home. The Gordons immediately marched quietly back.

Meanwhile Montrose once more entered Aberdeen, with an army of nearly four thousand horse and foot, and levied from the citizens ten thousand merks, besides spoiling their houses, devouring or destroying their corn, and robbing the fishermen of their salmon. In the country round, the meal ginals were broken up, not a fowl left, and, "because the lasses, in derision of the covenant, had knit blue ribbands about their messen's craigs," not a single house dog was suffered to live.\* In vain did the Aberdonians remind the general that they had taken the covenant. He had, unfortunately for their sincerity, intercepted some of their letters on his march, in which they assured his majesty of their devotion to his service.

The earl's stay was but short; he marched to attack the strengths of the Gordons. The first he summoned was the castle of Gight; but Sir George, with lieutenant colonel Johnstone, determined to defend it to the utmost; and Montrose, after battering it for two days, raised the siege in a hurry, on hearing that Aboyne had arrived with re-enforcements in Aberdeen roads.

Aboyne, who had received a commission of lieutenancy from the king, in a short time assembled an army of three thousand foot, and five hundred horse, with whom he easily retook Aberdeen; after which, he proposed to attack the earl

\* Spalding, vol. i. p. 169.



Marischall, and then marching to Angus, join the earl of Airly, and, as they had no money, to support themselves in free quarters on the covenanters' lands. With this resolution they marched from Aberdeen along the coast, ordering their vessels, with cannon and ammunition, to attend their progress; but a westerly wind having blown the vessels off the shore, a possibility of which they had no conception, Gun, an experienced officer sent to direct their movements, was immediately suspected of treachery, because he had advised transporting the heavy artillery by sea. All confidence in their leader was now at an end, and every petty chief conceived himself at liberty, if not to direct, at least to criticise the operations of the army. In the neighbourhood of Stonehaven the covenanters were advantageously posted on a hill south of the village, and one Johnston proposed, that part of the army should attack its front, while another, making a circuit westerly, should throw themselves in their rear, and prevent their retreat to Dunnottar. To this Gun objected, and his treachery was considered as demonstrated; but the Highlanders, who never had faced cannon, when the general, after much entreaty, allowed a skirmishing party to push forward, justified the caution he had shown in avoiding an engagement; at the first round they fled, and sought refuge in a moss, nor could all Aboyne's efforts recal them to the field. In a state nearly of mutiny, the army returned toward Aberdeen, and after an ineffectual stand at the bridge of Dee, they dispersed. The unhappy city, alternately the prey of the parties, again in Montrose's power, was fined sixty thousand marks Sterling; but was saved from threatened destruction, by the annunciation that very night, of a treaty being signed with the king, and that all hostilities were at an end.\*

From York the royal army advanced with all the pomp and circumstance of war, not as to uncertain combat, but as to a bloodless triumph; for it never once was imagined by the king, or hinted by his flatterers, that the Scottish rebels would dare to face him in the field; but as he proceeded, the

\* Spalding, vol. i. p. 176. History of the House of Gordon, vol. i. p. 282, 312. Burnet's Memoirs, p. 112, 140. Gathrie's Memoirs, p. 56, 57.

unwelcome truth broke in upon him, and what he was still more unwilling to believe, he found that the English were far from being hearty in the cause. Oaths and tests are always very uncertain securities for loyalty; they in general are more offensive to the truly honest subject, than efficacious in retaining the doubtful; yet, in cases of dubity, and particularly where governments are conscious of having merited distrust, they are multiplied with as much anxiety, and imposed with as much rigour, as if experience had never yet discovered that their impolicy and weakness are in exact proportion to their strictness and number. The king's council, previously to the army's approaching Scotland, recommended a protestation of loyalty to be made by both the English and Scottish nobles who were with the forces. Lords Say and Brook, in his majesty's presence, refused. If he suspected their loyalty, they said, he might proceed against them as he thought fit; but it was against the law to impose oaths or protestations upon them, when they were not enjoined by law, and in that respect, that they might not betray the common liberty, they would not submit to it; and he, fearing the infection of their example, ordered the two lords to return home; \* the rest took the oath.

Successive messages of the capture of his castles, and the increasing strength of the covenanters, reached Charles on his march, and he learnt to form a pretty accurate estimate of the difficulties he would probably have to encounter ere the royal pavilion was pitched at Birks.† Influenced by this intelligence, a milder proclamation was issued, in which the charges of treason and rebellion were omitted, representing that the king's armament was only intended to secure peace, and promising, upon a demonstration of obedience in civil matters, that his majesty was ready to grant their just supplications, but commanding them not to approach within ten miles of the royal camp. The main army of the Scottish had also arrived on the borders; Leslie was at Dunglas, and

\* Clarendon, vol. i. p. 118.

† A plain on the south side of the Tweed, about three miles distant from Berwick.

Munro at Kelso; yet, still desirous of peace, and trusting that this was a break in the sky, they immediately obeyed the order, as a token of their loyalty, and a proof of their repeated declarations being honest, that their preparations were entirely defensive.

- This submission was immediately construed into timidity, and Charles, elated at the symptoms of terror, as he supposed, was, in an evil hour, persuaded to issue another proclamation, as if on purpose to dissipate any favourable impressions that his former might have made, and to convince his already suspicious subjects, that nothing but necessity would ever make him sincere in his concessions. He required them to submit within ten days, or, in case of disobedience, declared them rebels; set a price on the heads of their leaders; and offered their rents to the vassals and tenants who should desert them, or to their feudal superiors, who continued loyal. This proclamation was published at Dunse by the earl of Holland, who entered the town at the head of two thousand horse, without seeing an enemy, and was received by the few who remained in it with loud acclamations. On his return a council of war was held, information having been received, that a party of fifteen hundred Scots were at Kelso, and thither it was resolved to send the general of horse to publish the proclamation also. Next day, June 3d, he proceeded with two thousand horse, and two thousand foot, to carry his instructions into effect, and the day proving extremely sultry, the horse advanced, leaving the foot nearly three miles in rear. When within sight of the enemy, he commanded them to withdraw, to which they replied by sending him back a similar charge; and on exhibiting their force, although exceedingly inferior in cavalry, the English, panic struck, commenced a disorderly retreat, which, without a blow, was soon converted into an ignominious flight. \*

The Scots conceiving, by these proceedings on the part of the king, that they were released from any obligation to remain inactive, and their general dreading lest any of their scattered parties might be surprised, advanced himself from

\* Rushworth, vol. iii. p. 936.

Dunglas, and concentrated his forces on Dunse-law, in sight of the English, a strong position, which commanded the two high roads to the capital.\*

On the same day the king had a grand review of his whole army, who, in high order and holyday garb, made a gallant show on the parade, but scarcely were they dismissed, when an alarm was given that the Scots were approaching, and the whole camp was instantly thrown into the utmost confusion and dismay. Some of the principal officers ran to the king's tent with the intelligence, and such was their consternation, that they actually pointed out the movement to his majesty; but the king taking his prospective glass, walked out coolly to the river side, where he plainly discerned the Scottish army encamped on the face of the hill, and turning to his generals, asked contemptuously, "Have not I good intelligence, that the rebels can march with their army, and encamp within sight of mine, and I never hear it till their appearance gives the alarm?" This army, which the king estimated at sixteen thousand, was rapidly augmented to twenty-four; for, on the first notice of the English incursions at Dunse and Kelso, the general committee sent expresses through the length and breadth of the land, representing the fruitless efforts they had made for peace, announcing the entrance of the enemy into the Merse, and exhorting all who loved their country, their consciences, liberty, or life, to hasten to headquarters. The whole country rose at the call, and every disposable man south of the Tay, prepared, if necessary, to swell the ranks of the covenanted band. "It would have done your heart good," said an eye-witness, with a degree of national exultation at the animating spectacle, "to have cast your eyes athort our brave and rich hills, as oft I did, with great contentment and joy; our hill was garnished on the top, toward the south and east, with our mounted cannon, well near to the number of forty, great and small. Our regiment lay on the sides; the crowners† lay in canvass lodges, high and wide; their captains about them in lesser

\* Baillie, vol. i. p. 175.

† Military commanders of counties, somewhat equivalent to colonel.

ones; the soldiers about all in huts of timber, covered with divot or straw; they were all lusty and full of courage, the most of them stout young ploughmen, great chearfulness in the face of all." At each captain's tent door, was displayed a colour with the Scottish arms, and an inscription in golden letters, "For Christ's Crown and Covenant." Morning and evening the soldiers were summoned to sermon by the drums, and at dawn and sunset, the tents resounded with psalms, prayers, and reading the Scriptures. The scene was like a beatific vision to the ministers who accompanied the army, "for myself," says Baillie, "I never found my mind in better temper than it was all that time since I came from home; for I was as a man who had taken my leave from the world, and was resolved to die in that service without return." Nor were the grosser comforts of the soldiers unattended to. At first, from the inexpertness of their commissaries, their provisions were not regularly brought in, but when they were a little accustomed to it, the men were better fed than at home, their regular pay was sixpence a day, a groat purchased a leg of lamb, and the meanest among them had wheaten bread regularly served out. The general kept open table daily at Dunse castle, for the nobility and strangers, besides a long side-table for gentlemen waiters, and as there had been an extraordinary crop the preceding year, and all the people were forward to offer supplies, the camp abounded in every necessary of life. What formerly used to be the bane of Scottish armies—the emulation of their nobles, was repressed by the eminent wisdom of Leslie, their commander, who, though diminutive, old, and distorted, received an implicit submission their forefathers had seldom paid to their kings; and the men, daily exercised in the use of arms, acquired a confidence in themselves, which the few days' training of hasty levies can seldom impart, while the exhortations of their ministers, and the uniform success which had hitherto attended them, were calculated to strengthen their faith in the divine favour, and in the goodness of their cause. Every night the general in person, accompanied by his lieutenant, rode round the camp, and saw the guards set, nor did he omit any

of the duties, which inspire soldiers with confidence in their leader.

Although the Scots were amply provided for a short campaign, their resources were not sufficient for protracted operations, \* and now when their army was so formidable in number, discipline, and spirit, to have remained inactive, would have been as imprudent as it was impossible. Unacquainted with the real causes of Charles' forbearance, they imagined his delay in attacking them, was to allow the present enthusiasm to subside, the fire-edge of the troops to be blunted, their resources to be exhausted, while their trade by sea was shut up, and all foreign supplies cut off, and then, by one simultaneous attack from the Irish on the west, the Gordons on the north, and himself in front, to accomplish their destruction, or force them to unconditional submission. They, therefore discovered, and that not obscurely, their intentions of approaching the English, who immediately began to intrench themselves, and with the utmost trepidation, threw up some advanced works on the north side of the Tweed.

The Scots had never intermitted their pacific overtures till the late proclamation had apparently rendered all further attempts upon honourable terms unnecessary. Charles, who was now reduced to the necessity of treating, but was too proud to make any direct advances, communicated obliquely, through one of his pages, a hint that a humble supplication for peace would not now be unattended to.† Waving all punctilio, the covenanters immediately embraced the opportunity, and studious of consulting the king's honour, as well

\* The circumscribed nature of their means may be gathered from the following statement. "We would have feared no inlack for little money for some months to come. Merse and Teviotdale are the best mixed, and most plentiful shires, both for grass and corn, for flesh and bread, in all our land. We were much obliged to the town of Edinburgh for money. Mr. Harry Pollock, by his sermons, moved them to shake out their purses. The garners of the non-covenanters gave us plenty of wheat; for we thought it but reasonable, since they sided with those who put our lives and our lands for ever to sale, for the defence of [i. e. because we defended] our church and country, to employ for that cause, wherein their interest was as great as ours, if they would be Scotsmen, a part of their rent for one year." Baillie, vol. i. p. 177.

† Baillie, vol. i. p. 178.

as of humouring his show of dignity, despatched the earl of Dunfermline, a young nobleman, not personally obnoxious as a leader, with the following humble petition :—" That whereas the former means used by us, have not yet been effectual for receiving your majesty's favour, and the peace of this your native kingdom, we fall down again at your majesty's feet, most humbly supplicating, that your majesty would be graciously pleased to appoint some few of the many worthy men of your majesty's kingdom of England, who are well affected to the true religion, and our common peace, to hear by some of us, of the same affection, our humble desires, and to make known unto us your majesty's gracious pleasure ; that as by the providence of God, we are here joined in one island under one king, so by your majesty's great wisdom and tender care, all mistakings may be speedily removed, and the two kingdoms may be kept in peace and happiness under your majesty's long and happy reign ; for the which we shall never cease to pray, as becometh your majesty's most faithful subjects."\*

The king, still attached to frivolous points of honour, having gained so far as to make them first commence a negotiation, before proceeding, insisted that the proclamation which had not been suffered to be read at Edinburgh, should now be published, and sent Sir Edmund Verney back with the earl of Dunfermline, to see this done in the Scottish camp. The Scottish nobles, on the requisition being made to them, to read the king's proclamation at the head of the troops, declined compliance, for the same substantial reasons which they had adduced to the duke of Hamilton, for not allowing it to be published at the Cross of Edinburgh, but in order to comply with the letter of the order, it was read with much reverence at the general's table, and commented on, so that with the same kind of equivocal which had unfortunately got possession of all their intercourse, the one side could say they had considered the proclamation, the other, that it had been read in the camp.

Charles was satisfied, and commissioners were mutually

\* Rushworth, vol. iii. p. 938.

appointed to negotiate, but before the Scottish deputies were suffered to enter the English camp, their constituents required a safeconduct under the king's own hand.\* The Scottish deputies were Rothes, Dunfermline, Loudon, Sir William Douglas, A. Henderson, and Johnston. Those appointed on the king's part, were the general, the earls of Essex, Holland, Salisbury, and Berkshire, and Mr. Secretary Cook, to whom the king added Sir Harry Vane. The commissioners were, however, scarcely met in lord Arundel's tent, when the king came unexpectedly, and sat down among them, telling the Scottish deputies, "That he was informed they had complained that they could not be heard, and therefore, he was now come himself to hear what they would say." The earl of Rothes replied, it was their humble desire to be secured in their religion and liberties. But when Loudon began to explain and vindicate their proceedings, the king, interrupting him, told him he would not admit of any of their excuses for what was past, but if they came to sue for grace, they should set down their desires particularly, in writing, which, after consulting together apart, they did. They humbly prayed, that the acts of the general assembly passed in Glasgow, should be ratified in the parliament to be held at Edinburgh, July 23d; that all ecclesiastical matters should be determined by assemblies of the kirk, and all civil by parliament, which should be held at least once in two or three years; that his majesty's ships and land forces be recalled; that all persons, ships, and goods arrested, be restored; the kingdom be made safe from invasion; and that all excommunicate persons, incendiaries, and informers against the realm, who, out of malice, have caused these commotions for their own private ends, may be returned to suffer their deserved censure and punishment." The king then desired them to assign

\* Rushworth, vol. iii. p. 929. Balfour's MS. Baillie, however, says, much debate was there about a safeconduct for the return of ours, [deputies,] yet the stoutness of our men, the trust we put in the king's simple word, the hope we had, by the lads on the hill, to have fetched them in haste, or as good for them, made us leave off that question. But the safeconduct which was granted, was under the form of a new nomination of commissioners, and Baillie might be misled by this subterfuge.



their reasons for their requests, on which lord Loudon on his knees said, that they only asked to enjoy their religion and liberties, according to the ecclesiastical and civil laws of the kingdom. These demands were too reasonable to be refused, and after two days' deliberation, he returned an answer, equally oracular with any of his other communications:—"That if their desires were only the enjoying of their religion and liberties, according to the ecclesiastical and civil laws of his majesty's kingdom of Scotland, his majesty doth not only agree to the same, but shall always protect them to the utmost of his power, and if they shall not insist upon any thing but that which is so warranted, his majesty will most willingly, and readily condescend thereunto; so that in the meantime, they pay unto him that civil and temporal obedience, which can be justly required and expected of loyal subjects."

When they had received this answer, their deputies exhibited to his majesty, a paper containing the reasons and grounds of their desires, which he promised to take into his consideration. The principal purport of these was a vindication of the Glasgow assembly, similar to the reasons for holding that assembly, [vide p. 457.] When they returned for their answer on the Monday, they found his majesty, through the influence of the bishops of Ross and Aberdeen, who had been with him on the Sabbath, relapsed into all his high notions of ecclesiastical supremacy. He demanded whether he had not the sole indiction of assemblies? whether he had not a negative voice? and whether an assembly could sit, after he had commanded it to rise? These questions, which the Scottish commissioners very naturally thought had already received practical answers, they treated now as only agitated to drive time, till, either re-enforcements should arrive to the king, or they were starved out; they therefore resolved to bring the discussions at once to issue, by advancing within cannon range of the royal camp; but intelligence of their intention having reached the king, on their next meeting, the questions were dropped, and a royal declaration was emitted, in which, although the late assembly at Glasgow was not acknowledged; yet, whatever was promised by the commis-

sioner, was to be strictly performed, \* and besides, all ecclesiastical matters were referred to the decision of another, to be indicted at Edinburgh, on the 6th day of August, and all civil affairs, to a parliament, to be summoned on the 20th, to ratify its acts. Upon this declaration, accompanied by verbal explanations, a treaty was concluded. The forces on both sides to be withdrawn and disbanded; the Scottish army within forty-eight hours; the castles and forts, with their ammunition, to be delivered up to the king, and the fleet to depart with the first fair wind after; all fortifications to desist; all forfeitures to be restored; and all meetings or convocations of the lieges, except such as are authorized by act of parliament to be discontinued. These articles were signed on the 18th June, and on the same day proclaimed, with the king's declaration, in the English and Scottish camps. † In the latter they were accompanied by an information, in which, to prevent mistakes, the expression, "pretended assembly," in the declaration, was explained, as not intending that any persons, by their acceptance of the declaration, should be thought to disapprove or depart from the same, nor in any sort or degree, disclaim the said assembly. ‡

While the treaty was in progress, all the discussions were regularly submitted to the consideration of the tables, or their representatives in the Scottish camp, and the treaty, before being concluded, underwent several modifications, only it was allowed to be published as above—except in Scotland, where the information accompanied it—for the sake of the king's honour among foreign nations, but the verbal explanations were taken down by the commissioners at the time, and communicated to the people, to reconcile them to what might have otherwise appeared as a dereliction of principle, and a

\* The commissioner had promised to annul the service book; and that all and every one of the present bishops and their successors, may be answerable, and censured accordingly from time to time, according to their demerits, by the general assembly.

† On which occasion, an Englishman remarked jocularly, that the bishops were discharged in Scotland, neither by the canon law, nor the civil law, but by Duns law.

‡ Rushworth, vol. iii. p. 944. Burnet's Mem. pp. 140-1. Baillie, vol. i. p. 182.

surrender of the advantages of which they were already in possession. The Glasgow assembly, they were not called upon to disobey, and prelacy was referred to the decision of the next free meeting, where its fate could not be considered doubtful. \* These concessions were afterward disavowed on the part of the king, and burned, as false, but as they are so completely in consonance with the spirit of the treaty, and were acted upon from the first by the Scots; and as it is acknowledged by Clarendon, that the most material parts passed in discourse, and that although every body disavowed the contents, nobody would take upon him to publish a copy owned to be true, it is impossible to consider the Scottish statement as otherwise than correct; nor is it within the range of credibility, that Henderson, the moderator of the Glasgow assembly, or Johnston, the clerk, would have put their hands to a paper without explanation, disowning that meeting, and themselves incur the curse of Hiel the Bethelite, which the moderator had deprecated at the close of the assembly. But the peace was hastily concluded, and a number of the Scots

\* The verbal explanations, as published by the Scots. They objected, that the preface and conclusion of his majesty's declaration was harsh, importing as if they struck at monarchy, and his majesty's royal authority—The king answered, that he had no such opinion of them, but required that the paper should not be altered, for the sake of his honour among other nations; and urged, that they would not stand with their king upon words, if so be they obtained.

They objected, that the declaration, containing an impeachment of the assembly at Glasgow, as pretended, their accepting of the declaration, as a satisfaction of their desires might be construed as a departing from the decrees of that assembly—The king answered, that as he did not acknowledge that assembly, farther than that it had registered his declaration, so he would not desire his subjects of Scotland to pass from the said assembly, or the decrees thereof.

They objected, that his majesty's not allowing of the assembly for the reasons contained in his several proclamations, is a declaration of his judgment against ruling elders, as prejudging the constitution of a free assembly—The king answered, though his judgment be against lay elders, yet seeing that clause is constructed as a prelimitation of the freedom of the assembly, he is willing that it be delete.

His majesty's commissioner, having in the last assembly, contended against ruling elders having a voice in assembly, and for his majesty's assessors having voice therein, and that his majesty or his commissioner had a negative over

who possessed influence in the camp, and were respected by all parties for their moderation, were yet to be convinced of the little reliance to be placed "on the word of a king."\* They rested satisfied with the meaning their countrymen affixed to the ambiguous passages in an agreement, in "which," a noble historian says, "nobody meant what others understood he did," and were unwilling too rigidly to examine what they wished to believe.

There were, besides, other reasons, which made any imperfection in the treaty be overlooked. The English, notwithstanding their secret assurances of friendship, showed no disposition to join cause with the covenanters, and had their army been defeated, a sense of national pride might have urged them to arms, to wipe away the disgrace.† There was no intelligence from the north, and some of the Merse nobles were beginning to get tired of so great an assemblage in their neighbourhood, while others of the west, who were daily hearing of the depredations committed by the Irish on their coasts, were anxious to get home. Their camp accordingly

the assembly, they wanted to be resolved what was understood by the words, "free Assembly." His majesty, after requiring that the differences mentioned might be remitted to himself, being informed that this was against the constitution of the kirk of Scotland, agreed that the words, free assembly, in his majesty's declaration, did import freedom of judging in all questions arising there, concerning constitution, members, and matters.

The declaration, bearing that no other oath be exacted from entrants, than what is contained in the act of Parliament; as also, that the clause bearing, that pretended bishops, &c. shall be censurable by the general assembly, seem to import the continuance of Episcopacy, which we cannot acknowledge, &c.—The king answered, that being willing to leave these things to the determination of the assembly and parliament respective, he is pleased to delete both these clauses.

It was with all humility urged, that if his majesty would comply with that chief desire of his subjects, the quitting with, and giving up Episcopacy, his majesty might depend on as cordial subjection as ever prince received—His majesty answered, that having appointed a free general assembly, which might judge of all ecclesiastical matters, and a parliament, wherein the constitutions of assembly should be ratified, he would not prelimit nor forestall his voice.

There were other two objections, the one respecting the forts, &c. to which the king made no reply; the other with regard to forfeiture and restitution, which he referred to parliament. Stevenson's Hist. vol. ii. pp. 744, 745.

\* Charles' favourite mode of asseveration. † Baillie, pp. 182, 183.

was broken up, their army disbanded, and the forts and castles delivered to officers appointed by the king.

Treaties cannot remove distrust, and where this exists, so soon as the immediate necessities which have suspended its operation cease, it often returns with double force, and if the terms have not been substantially advantageous, they are readily quarrelled with, and easily broken. The one which had been signed, settled nothing agreeably to the wishes of either of the parties, and both, when they began to consider the articles, were dissatisfied, on reflecting that so much expense had been incurred, and so much preparation wasted for no purpose, except that of allowing themselves to be duped by one another. The covenanters imagined themselves overreached, in the surrender of the castle of Edinburgh, and fortifications of Leith, with all their stores unconditionally, especially, when they saw the fortress taken possession of by general Ruthven, now lord Ettrick. They regretted, that their army should have been disbanded, before they had received complete security against the possibility of royal vengeance. Charles was chagrined, at having been forced at the head of his army, to grant so much to his rebellious subjects in arms, and ere the ink was dry which had signed the treaty, their mutual jealousies became apparent. The riotous disposition manifested in the capital, \* an accusation that the tables still kept up their meetings, with a number of other petty complaints, that marked the irritation of the royal mind, were seized upon as excuses for the king's not presiding in the general assembly, as he had promised.† Hamilton, when applied to, to fill the situation of commissioner, declined the disagreeable honour, and at his request, Traquair was appointed. Fourteen of the leading covenanters were also sent for, to

\* Lord Aboyne, and general Ruthven, were accused of insulting and quarrelling with the covenanters in the streets; the covenanters were charged with maltreating those of the opposite party, and the magistrates of standing aloof, during the squabble. In one disturbance, Traquair was assaulted, his coach very nearly overturned, and the white staff his servant carried before him, broken. When he complained to the town council, another white stick, value sixpence, was sent him, "so high rated they," as Burnet laments, "the affront put on the king, in the person of my lord treasurer."

† Burnet's Mem. p. 144.

attend his majesty at Berwick, to try what effect the smiles of royalty would produce upon them. Six attended, but of these, only one—Montrose—was won. The king, who wished the whole experimented upon, sent off an express for the rest, but unfavourable rumours reaching Edinburgh, that this was a trap laid to ensnare the chief men of influence, and send them to London, the populace detained them by force.\* Lindsay and Loudon returned to offer an apology, but the king would hear none, and his purpose or his fears being confirmed by the flattering remonstrances of his courtiers, who dissuaded him from trusting his sacred person among the mutinous Scots,† he departed for England in the most melancholy mood, brooding over his disappointed hopes, his tarnished fame, and the means of getting rid of a treaty he was unwilling to fulfil.

One only chance remained for preserving the peace of the kingdom, and that was in the king's honestly performing what he had, through his own precipitation, been forced to promise. A few years would have restored to him the confidence of his subjects, dissolved the association, and reduced to its ordinary and peaceful level, the power of the nobles. The ministers, by the usual and regular routine of government, deprived of any pretext for interfering in civil affairs, would have devoted their attention to the religious instruction of their flocks, and exerted their influence on the side of the power to which they owed their protection. To this his most sincere friends advised him, but with this his wounded pride would not allow him to comply. His instructions to the new commissioner, were conceived in such a manner as he imagined would relieve his conscience from the guilt of falsehood, while he was practising with his subjects, a system of perfidious deceit. He—Traquair—was to allow the abolition of Episcopacy, not as unlawful, but only in satisfaction of the people, for settling the present disorders and similar reasons of state, and on no account, to suffer the appearance of any warrant from the bishops. He was to consent to the coven-

\* Stevenson, Hist. vol. iii. p. 764. Clarendon, vol. i. p. 128.

† Strafford's Letter. Rush. vol. iii. p. 948.

ant being subscribed, as originally, in 1580, " Provided it be so conceived, that our subjects do not thereby be required to abjure Episcopacy as a part of popery, or against God's law ; but if they require it to be abjured, as contrary to the constitution of the church of Scotland, he was to give way to it rather than to make a breach, and the proceedings of the Glasgow assembly were to be ratified, not as deeds of that illegal meeting, all mention of which was to be avoided, but as acts of this ; and after all assembly business was ended, immediately before prayers, he was commanded, in the fairest way possible, to protest, that in respect of his majesty's resolution of not coming in person, and his instructions being hastily written, many things may have occurred upon which he had not his majesty's pleasure, therefore, in case any thing had escaped him, or been condescended upon prejudicial to his majesty's service, his majesty may be heard for redress thereof, in his own time and place."

By this form, Charles retained to himself the power of disavowing the conduct of his commissioner, and disannulling any or every act of the assembly whenever he chose, or found it expedient. His irreconcilable enmity to the covenanters, was expressed in these instructions, by directions to stop the signatures of all acts in their favour, in as far as it could be done without interrupting altogether the common course of justice, and while he was enjoined to hear complaints against the rest of the subjects, none were to be listened to, if against such as had suffered for refusing the covenant, particularly Sir John Hay, and Sir Robert Spotswood.

But besides the protest, the king had another, and what seemed an insurmountable objection to the legality of any acts abolishing Episcopacy. Traquair suggested, that they could not be ratified in a parliament from which the prelates, who constituted one of the estates, were excluded, and the king was thus persuaded to allow them to pass, in the belief that they were intrinsically null and void. His intention merely to temporize till the necessities of the time were past, and to revoke all the concessions which he considered as extorted from him, was unequivocally expressed in a letter to the archbishop of St. Andrews, who, after he resigned the

office of chancellor, had resided in Newcastle. The bishops had written to Laud, requesting the king to prorogue the assembly and parliament. In reply, his majesty informed the primate, this could not be done without great prejudice both to himself and his service, but that he had given his commissioner special instructions to watch over the interest of their lordships, and of the inferior clergy, who had suffered for their duty to God, and their obedience to his commands, and assuring them, that it should be still one of his chiefest studies, how to rectify and establish the government of that church aright, and to repair their losses. He recommended, however, as the best mode for them, to give in, by way of protestation or remonstrance, their exceptions against the assembly and parliament, to the commissioner, privately as he entered the church, to be by him presented to the king, which he promised to take so into consideration, as becometh a prince sensible of his own interest and honour, joined with the equity of their desires, and added, "you may rest secure, that though perhaps we may give way for the present, to that which will be prejudicial both to the church and our own government, yet we shall not leave thinking in time how to remedy both." In the meanwhile, till their estate could be restored, the rents of the bishoprics which were declared vacant, or had reverted to the crown, were to be drawn by the crown officers, and appropriated to their support.

The duplicity which these transactions exhibit, and which can neither be defended nor denied, was unfortunately flattered by the person the king chose as his commissioner. Traquair, ever since the surrender of Dalkeith, had been under a cloud—for although pardoned, he had never been trusted—and in order to regain the good graces of his master, was forced to administer to his humour, and in no way could he do this so effectually, as by appearing to be the dupe of his political casuistry. He carried the king's letter, which he had suggested, to Newcastle, and received himself the bishops' declinature,\* on his road to Scotland, to hold those very assemblies, whose proceedings it was intended to annul. Tra-

\* Burnet's Mem. p. 155.



quair held the assembly on the appointed day, at the opening of which, Henderson the moderator of the last, preached, and towards the close of his sermon, addressed the members, exhorting them to temper their zeal with moderation and prudence, reminding them of the advantages which had been attempted to be taken of their unguarded warmth, and of the obligation thereby imposed upon them, to show to the world, that Presbytery, the government they contended for in the church, could very well consist with monarchy in the state. The assembly proceeded in accordance with this advice, and dreading no deceit on the part of the king, although steady in their determination not to recede from their principles, they showed every disposition to yield in matters of form to his prejudices or caprice. Every reference to the preceding assembly was avoided, and the objects the Presbyterians wished to obtain the royal sanction for, were enumerated in an act of the present, entitled, An Act, containing the Causes and Remedy of the bygone evils of the Church. The causes:—“First, the pressing upon this church, a Service Book, or book of common prayer, by the prelates, without direction or warrant from the church, containing, beside the popish frame, divers popish errors and ceremonies, with a Book of Canons, establishing a tyrannical power over the kirk in the person of bishops; a Book of Consecration and Ordination, appointing offices in the house of God, not warranted by the word of God, and repugnant to the discipline and acts of the kirk; and the high commission. Second, the articles of Perth. Third, the change of the government of the kirk, from the assemblies of the kirk, to the persons of some kirkmen, usurping priority and power over their Brethren. Fourth, civil places and power of kirkmen. Fifth, keeping and authorizing corrupt assemblies. Sixth, the want of lawful and free assemblies, rightly constituted of pastors, doctors, and elders, yearly or oftener, *pro re nata*, according to the liberty of the kirk. The remedies:—That the Service Book, Book of Canons and Ordination, and the high commission, be still rejected; that the articles of Perth be no more practised; that Episcopal government, and the civil places and power of kirkmen, be holden still as unlawful in this kirk; that the pretended

assemblies, 1605, to 1618, be hereafter held as null, and of none effect; and that for the preservation of religion, and preventing all such evils in time coming, general assemblies rightly constituted, as the proper and competent judges of all matters ecclesiastical, be hereafter kept yearly and oftener, *pro re nata* as occasion and necessity shall require; the necessity of these occasional assemblies being first shown to his majesty by humble supplication; as also, that kirk sessions, presbyteries, and synodal assemblies, be constituted and observed, according to the order of this church." The commissioner, to this act subjoined a declaration, that it should not infer any censures on practices out of the kingdom, thus waving, or rather reserving the question respecting the unlawfulness of Episcopacy, but the assembly, to prevent its re-introduction in Scotland, ordained, that no innovation which might disturb the peace of the church, and make division, should be proposed, till the motion were first communicated to the several synods, presbyteries, and kirk sessions, that the matter might be approved by all at home, and commissioners might come prepared unanimously to give out a solid determination in the general assembly.

Having settled these fundamental points, in the manner which it was supposed would be least offensive to the king, the assembly showed a disposition to gratify him, by dealing gently with those ministers who had only been guilty of compliances with the orders of the court, and all who did not stand accused of immoral conduct, and were found to be capable, were re-admitted to their functions in the church. There now only remained a wanting the royal sanction to the covenant, and the concurrence of his grace was obtained more readily than they expected; the chief difficulty was, how to render this palatable to Charles, who had so repeatedly and strongly expressed his antipathy to that "damnable instrument." To soften the matter as much as possible, a supplication, couched in the most loyal and affectionate language, was presented to the privy council, in which the long tried fealty of their ancestors, to a succession of one hundred and seven kings, his majesty's royal predecessors, was appealed to as a pledge, that they would not dishonour their descent, by

rebellin in thought against the last of so illustrious a line. On the contrary, they acknowledged their quietness, stability and happiness, to depend upon the safety of the king's person, and the maintenance of his royal authority as God's vicegerent, set over them for the support of religion, and ministration of justice, and solemnly concluded, by declaring:—  
“ We have sworn, and do swear, not only our mutual concurrence and assistance for the cause of religion, and to the uttermost of our power, with our means and lives, to stand to the defence of our dread sovereign, his person and authority, in preservation and defence of the true religion, liberties, and laws of the kirk and kingdom, but also in every cause which may concern his majesty's honour, shall, according to the laws of this kingdom, and the duties of good subjects, concur with our friends and followers, in quiet manner or in arms, as we shall be required by his majesty, his council, or any having his authority; and therefore, being most desirous to clear ourselves of all imputation of this kind, and following the laudable example of our predecessors, 1589, do most humbly supplicate your grace, and the lords of his majesty's most honourable privy council, to enjoin, by act of council, that the Confession of Faith and Covenant, which, as a testimony of our fidelity to God, and loyalty to our king, we have subscribed, be subscribed by all his majesty's subjects, of what rank and quality soever.”

The privy council acceded to the prayer of the petition, and the commissioner announced in open assembly, the gratifying intelligence, that their supplication was granted, and an act in consequence passed, so that nothing was wanting now, but the resolution of the assembly. As an individual, he cordially agreed with the deed as it stood; as his majesty's commissioner, he affixed a clause, declaratory of its being understood by him, as one in substance with that which was subscribed by his majesty's father, of blessed memory, 1580, 81–90, and often since renewed. The assembly's vigilance was not, however, thus to be lulled; every reservation was viewed with a jealous eye. They, therefore, ordered an explanation to be prefixed to the signatures in the following terms, “ The article of this covenant, which was, at the first subscrip-

tion, referred to the determination of the general assembly, being determined, and thereby the five articles of Perth, the government of the kirk by bishops, the civil places and power of kirkmen, upon the reasons and grounds contained in the acts of the general assembly, declared to be unlawful within this kirk, we subscribe according to the determination fore-said." Thus was the covenant again renewed in two different senses, yet, upon receiving assurance that their conclusions would be ratified in parliament, the meeting dissolved with great apparent cordiality, and mutual satisfaction, and the public demonstrations of national joy on the occasion, were ardent and universal.\*

Charles did not participate in the general satisfaction the conduct of his commissioner had diffused, and although Traquair had, with great dexterity, managed a very delicate business, and brought it to a termination, whence a conciliatory system might with much loveliness and grace have commenced. Instead of receiving the thanks of his sovereign, he received a pettish letter, filled with captious distinctions, refusing to ratify the acts to which the earl had consented. Episcopacy had been declared by the act of assembly, to be "unlawful in this church," a position the king denied that he had ever allowed. He had consented to its being abolished, as "contrary to the constitutions of the church of Scotland," but as to the word unlawful, it would not be found in all his instructions; his representative was therefore commanded not only not to ratify the act in these terms in parliament, but to declare that the king consented to its ratification with his explanation, merely for the sake of the peace of the land, though otherwise in his own judgment, he neither held it convenient nor fitting. Had the word unlawful been used in an unrestricted sense, there might have been some plausibility in the king's objection, that suffering such a sentence to pass in Scotland, was by inference condemning the function in England also, but used as it was, to signify merely that Episcopacy was unlawful in the church of Scotland,

\* Stevenson's Hist. vol. iii. pp. 769—806. Rushworth, vol. iii. pp. 949—964. Burnet's Mem. pp. 153, 157. Acts of Assembly.

because contrary to the law of that church, was an affirmation which did not necessarily imply any opinion respecting its legality any where else. But the real objection which the king had to the term was, he thought it would authorize the rescinding the acts of parliament made in favour of Episcopacy, acts which his father had with so much expense of time and industry established, "which," he says, "may hereafter be of so great use to us," and as he was evidently anxious to hasten a rupture, he did not wish to pronounce unlawful, what by that rupture he hoped to restore; for although he might alter or improve the constitution of the Scottish church, by re-establishing Episcopacy, he could not, even with all his equivocations, reintroduce it, if he once stigmatized it as unlawful, and therefore, he adds, if on this point a rupture happen, we cannot help it, the fault is on their own part, which one day they may smart for.

In the act of signing the treaty, the king was meditating its rupture, and now he was eager that his commissioner should find in the proceedings of the Scots, a justification of his own premeditated perfidy. "If you find that what we have commanded you to do, is likely to cause a rupture, their impertinent motives give you a fair occasion to make it appear to the world, that we have condescended to all matters which can be pretended to concern conscience and religion, and that now they aim at nothing but the overthrow of royal authority, and therefore, we hope and expect, that if a rupture happen, you will make this appear to be the cause thereof, and not religion, which you know not only to be true, but must see it will be of great advantage to us, and therefore must be seriously intended by you."

Parliament was opened with great pomp, the earls of Argyll, Crawford, and Sutherland carrying the regalia, on the day succeeding the close of the assembly. One of the estates being absent, it was necessary to supply the deficiency, and anticipate any objection of nullity, on this score, that might be made to their proceedings. In order to support the appearance of a spiritual estate, it was proposed by the court, that lay abbots should be appointed, but as even the name was objectionable to the majority, the representatives of the lesser

barons were substituted. In choosing the lords of the articles, respecting which Charles appeared so anxious, the parliament, being freed by the abolition of Prelacy from the obtrusion of the bishops, proposed to revert to the original method of naming that committee; but as this might have occasioned a debate, they allowed for the present, the commissioner to appoint the eight nobles, whom of late the bishops were wont to name, with the understanding that this should form no precedent for the future, but that the members should be freely and separately chosen by their respective estates; and that their powers should extend only to such articles as were referred to their consideration, and which, if not again reported, might be resumed in parliament by the original proposer. Freedom of debate was also secured; and, to prevent the power of the crown being unnaturally exerted by the introduction of strangers, unconnected with the country, as peers of parliament, it was enacted, that no patent of honour be granted to any strangers, but such as have a competency of land rent in Scotland; and it was provided, that a parliament should be held at least once in three years. They demanded that the abuses of the mint should be remedied, and the coinage be subject to the superintendence of parliament; that no foreigner should be intrusted with the command of any of the natural fortresses, nor any person appointed without the approbation of the estates.

The acts of the general assembly were preparing for ratification; another important act, abolishing hereditary jurisdictions, was also in progress, and a number of necessary measures for reforming the abuses of the preceding forty years; but, while these were framing, the commissioner, who well knew how disagreeable they would be to the king, continued the parliament by several prorogations, till he should receive farther instructions, and parliament, afraid, from the surmises that had reached them, that their proceedings would not be confirmed by his majesty, in the interim, with lord Traquair's consent, despatched the earls of Dunfermline and Loudon to London, to endeavour satisfying his royal scruples, and implore his permission to proceed and determine the business before them; but, ere the peers reached the capital, they were

met by a messenger, discharging them from approaching within a mile of the court, and peremptory orders were sent to Scotland, to prorogue the parliament to June next year. Traquair, ashamed of the employment, did not proceed to dissolve the parliament in form, he transmitted the king's letter, containing the injunction, by the lord privy seal, to where the lords of the articles were sitting, desiring one of the clerks of parliament to read it. Gibson, younger of Durie, who was applied to, refused, but in obedience to the commands of the estates, he read a remonstrance against it:—As a new and unusual mode of prorogation, without precedent, contrary to his majesty's honour, engaged for ratifying the acts of the church, contrary to the laws, liberties, and perpetual practice of the kingdom, by which all continuations of parliament, once called, convened, and begun to sit, have ever been made with express consent of the estates; contrary to the public peace, both of the church and kingdom, which, by reason of the present condition thereof, and the great confusion like to ensue from procrastination, cannot endure so long delay, but to the advantage of malicious adversaries, who, for their own ends, are incessantly seeking all occasions, by creating dissensions between the king and his subjects, to bring both the country and the crown to utter ruin and desolation.

As these facts were so evident, the covenanters assumed, that whenever they were properly represented to his majesty, he would drive from his presence, his unprincipled advisers, and do them justice. With a great show of moderation they then declared, that although by the examples of their ancestors in cases of similar necessity, by his majesty's indiction, and by the articles of pacification, they might lawfully continue to sit, yet, from the obloquy that attends all their proceedings, and the misrepresentations to which they were liable, to avoid the least shadow of disobedience or disrespect to his majesty's commands, and out of the most reverend regard to render not only all real demonstrations of civil obedience, but to avoid whatever might give him the least discontent, they would only remonstrate and dissolve, leaving a committee from each estate, to await, in Edinburgh, the answer to their remonstrance, and concluded with a solemn adjuration. “If it shall happen

—which God forbid—that after we have made our remonstrances, and to the uttermost of our power and duty used all lawful means for his majesty's information, that our malicious enemies, who are not considerable, shall, by their suggestions and lies, prevail against the informations and general declarations of a whole kingdom, we take God and men to witness, that we are free of the outrages and insolencies that may be committed in the meantime, and that it shall be to us no imputation, that we are constrained to take such courses as may best secure the kirk and kingdom from the extremity of confusion and misery."

Immediately upon the dissolution of parliament, a request was sent by the committee to his majesty, that he would allow some of their number to wait upon him, and personally state their grievances and their desires. To this reasonable request he acceded, but before they could take any advantage of the concession, Traquair arrived in London. The commissioner was at first coldly received, on account of his conduct in the assembly, particularly in subscribing the covenant; but his apology was accepted. He vindicated his procedure from the necessity of the case, which did not admit of his hesitating about half measures, for they would have prematurely precipitated a quarrel, from which, as it must still have had the semblance of religion for its foundation, no advantage could have arisen. But he ingratiated himself into the royal favour, by representing the proceedings of the estates in the most odious point of view, as encroachments upon the prerogative, and destructive of regal authority, and by adducing a great many arguments, to fortify the king in his determination to reduce his Scottish subjects by force. In these he was seconded by the bigotry of Laud, and the violence of Wentworth, and their united efforts overpowered the voice of Hamilton and Morton, the two other but more moderate members of the *Junto* who managed Scottish affairs, and decided the question for the renewal of hostilities, before the arrival of the parliamentary deputies.

The earl of Dunfermline and lord Loudon were appointed a second time, together with Sir William Douglas of Cavers, and Robert Barclay, the provost of Irvine, to proceed to



court, and although their cause was prejudged, it was deemed expedient to admit them to an audience before the council. Loudon, in a long speech, pronounced the vindication of the estates. In the preceding assembly, Episcopacy was, with the concurrence of his majesty's commissioner, removed out of the church of Scotland, and all civil places and power of churchmen, declared to be unlawful in that kingdom, whence it necessarily followed, that bishops who usurped to be the church, and did, in the name of the church, represent the third estate, being taken away, there must be an act of the constitution of parliament without them, and an act for repealing the former laws, whereby the church was declared the third estate. Nor do these acts wrong the church, or state, or the royal authority; not the church, because she hath renounced and condemned the civil power and worldly pomp conferred upon her in time of Popery, esteeming it not a privilege, but a detriment, incompatible with her spiritual nature, and as being repugnant to her doctrine and discipline; nor the state, because the whole congregations of the kingdom, represented by their commissioners from presbyteries in the general assembly, have given their consent to the deeds of the church; neither the king, "for we cannot believe," continued the earl, "that your majesty—who, we hear, doth acknowledge princes to be like shining stars, which have their splendour for the benefit of the world, and who esteems the prosperity and welfare of your people, your greatest enjoyment, and the possession of their hearts, your greatest security—will think the granting of that, which, upon so good reason, is so earnestly desired both by church and state, to be any diminution of your majesty's royal prerogative and privilege of your crown, which is not mutable with the change of any of the estates, but is that power which did justly belong to the king, before any bishops were in Scotland, which did belong to him in time of popery, when bishops who had their dependance on the pope were allowed, and which did likewise pertain to the king in the time of the reformation, when Episcopacy was abjured, and removed out of Scotland.

At a subsequent meeting, the king asked, what power they

had to give him satisfaction, for their instructions appeared to be rather for justifying than satisfying, and though some of their desires were against the law, they had no power to yield to any point. They answered, the parliament had given them power to make it clear, that their desires and proceedings were agreeable to the fundamental laws and customs of the kingdom, to reason, and to the act of pacification, by which the king was obliged to ratify them, and this they were ready to do. Here archbishop Laud, who sat on the king's right hand, smiling contemptuously at the commissioners, begged his majesty to inquire how their assertions, that their desires and proceedings were agreeable to the laws and customs of Scotland, which must mean the present statutes, could consist with their desires, that the present standing laws should be repealed? Adding, he did not believe the king was obliged to repeal them, or ratify the acts of the assembly. The commissioners replied, that their desires might be agreeable to fundamental laws, and yet they might, without any inconsistency, crave that particular acts, repugnant to the conclusions of the assembly, might be repealed; for as the parliament may make laws for the good of the church and state, so they may repeal such as are in opposition to the welfare of either; and they undertook to show that the king was obliged to ratify their conclusions. On which, the primate superciliously observed, he was not so grossly ignorant, as not to know that parliament had power, as well to repeal laws as to make them; but what he wished to be informed of was, how could their desires be agreeable to the laws, when they crave standing laws to be repealed, by reason of the conclusions of the assembly, *ex consequenti*? For if the convocation in England should take upon them to annul and repeal acts of parliament, what confusion would there be? To this the commissioners answered:—"That acts of parliament, which depend upon acts of assembly, must necessarily fall and be repealed, when an assembly had annulled those acts of the assembly, whereof those acts of parliament were ratificatory, but that the English convocation, consisting only of prelates, and some of the clergy, was far different from their general assembly, where the king or his commis-

sioner sits, and where the whole congregations and parishes of the kingdom are represented by their commissioners from presbyteries; so that what is done by them, is done by the whole church and kingdom, and therefore ought to be allowed in parliament." "The convocation in England," said the archbishop angrily, "is as eminent a judicature as yours, and ought not to be so slighted; adding, that he and the clergy were members of parliament, but no reformed church had lay elders as they had in their assemblies, and he would lose his life before they had them." The commissioners told him, they had not meddled with his convocation, nor would if he had not brought it in himself; they denied that laics were members of their assembly, for the office of elders is ecclesiastic, and as orthodox and agreeable to Scripture as any order they had in their convocation; but what they craved was, that acts of parliament should repeal acts of parliament which had now no force.\* In several subsequent appearances, the commissioners explained or defended the various articles which had been proposed to be enacted at the meeting of the estates, at the same time remarking, that as they were only propositions prepared for parliament, some might have been withdrawn, and what was objectionable in the others, could have been altered, amended, or modified, before they were passed.

Unacquainted as the English in general were with the constitution of a Scottish parliament, they might not, perhaps, have perceived that all the outrages against his authority, of which Charles complained, were merely, first draughts of bills, which had not received even the consideration of the estates; but the explanations which the commissioners gave, so completely exposed the futility of their being considered as grounds of war, that the king, who was anxious to interest the English nation in the quarrel, eagerly seized upon a letter of some of the Scottish nobles to the French king—produced by Traquair—as an evidence of the treason of the covenanters, and a proof of their intentions to introduce the

\* Rushworth, vol. iii. pp. 995-7. Proceedings of the Scots Commissioners. King's Declaration.

ancient enemy again into the island. The letter was of the following purport;—"Sire, your majesty being the refuge and sanctuary of afflicted princes and states, we have found it necessary to send this gentleman, Mr. Colvil,\* to represent unto your majesty, the candour and ingenuity, as well of our actions and proceedings as of our intentions, which we desire to be engraved and written to the whole world, with a beam of the sun, as well as to your majesty. We therefore most humbly beseech you, Sire, to give faith and credit to him, and to all that he shall say on our part, touching us and our affairs, being much assured, Sire, of an assistance equal to your wonted clemency heretofore, and so often showed to this nation, which will not yield the glory to any other whatsoever, to be eternally, Sire, your majesty's most humble, most obedient, and most affectionate servants," subscribed, Rothes, Marr, Montgomery, Montrose, Loudon, Leslie, and Forrester, and addressed—*au Roi*—the style appropriate from subjects to their natural sovereign. This letter was without a date, and was directed by a different hand, not by any of the parties implicated in the transaction. Owing to an inaccuracy in the language,† after the paper was signed, it was thrown aside, and by some accident fell into the hands of Sir Donald Gorum, by whom it was given to the earl of Traquair.

This discovery, which revealed the connexion of the Scots with France, was construed as a transference of their allegiance from their natural prince. Loudon, when examined before the privy council, honestly acknowledged the handwriting and subscription as his, but said it was written when his majesty was marching in hostile array against his native land; that in these circumstances, anxious to procure some mediator to mitigate his wrath, they could think of no one so fit for that office as the French king, the nearest relative by affinity his majesty had among the princes of Europe; but that the idea was suggested too late, when the English army was already on the borders, and therefore the letter was

\* Brother to Sir Robert Colvil of Cleish.

† The word *rayu*, a cray-fish, having been used instead of *rayon*, a sunbeam.

never either addressed or forwarded; besides, he urged that even if there had been any criminality, that he was comprehended in the act of oblivion, and, at all events, his crime was only cognizable by his peers, and in the country where it was alleged to have been committed. The commissioners were notwithstanding, sent to the tower, and Loudon, it is affirmed, very narrowly escaped a summary execution. The king, about three o'clock in the afternoon, sent to Balfour, lieutenant of the tower, a warrant for beheading the earl before nine o'clock next morning, which the lieutenant intimated to his lordship that evening, by whom the awful annunciation was received with astonishing composure, and he prepared to submit with resignation to his fate. But Balfour, not altogether clear about the responsibility of putting a nobleman to death without a trial, carried the warrant to the marquis of Hamilton, who with some difficulty obtained access to the king at midnight, and began to expostulate, when his majesty interrupted him, exclaiming violently:—"by God it shall be executed." Hamilton, however, represented the dismal consequences which were likely to ensue from the violation of the safeconduct he had granted, and of all legal forms, so strongly, affirming, that if he proceeded, Scotland would be lost for ever, nor would his own person be safe from the outrages of the populace, that the king sullenly called for the warrant, and tore it in pieces, with evident marks of reluctance and chagrin.\*

In the midst of these distractions died archbishop Spotswood, primate of Scotland, the prime mover of all the commotions. He took alarm at the serious opposition which he saw made to the introduction of the liturgy, and early fled to

\* Oldmixon, Hist. p. 140. Burnet's Memoirs, p. 161. Laing, vol. iii. p. 196, thinks that the fact appears to be more conformable to the precipitate councils, than to the general character of Charles, who was arbitrary indeed, but was certainly averse to the execution of a sanguinary measure. I am at a loss to perceive any marks of aversion in Charles to sanguinary measures; he showed no great reluctance to arm his subjects against each other, for the purpose of enforcing his arbitrary mandates about trifles; yet there have been men who, while they gloried in wholesale massacre, would have shrunk, perhaps, from an individual murder.

England, to escape the mischief he had raised. Although educated in the principles of the first reformers, his ambition made him the ready and active tool in establishing a hierarchy. He was supple, crafty, and intriguing, and his eminent abilities enabled him to reach the highest dignities in church and state; but he exercised his power without moderation, and to his violence and severity it may in some measure be ascribed, that he lived to see the one overturned, and the other shaken to the foundation. His proceedings in the court of high commission paved the way for the confusion that followed. His private life was open to the attacks of his enemies, and indefensible by his friends; for in avoiding the appearance of puritanism, he indulged in practices both immoral and profane. As a historian, he is entitled to high praise; leaning, as was natural, to the side he espoused, he is yet moderate, and although sometimes overcharged in the colouring, the material parts of his narrative remain unimpeached. His style is plain and perspicuous, undebased by the false ornament, or foolish quibbling, in which some of his cotemporaries delight; and it has been remarked, as his peculiar felicity, that his erudition was neither infected with the pedantry, nor confined to the polemical disputes of the age.

Not many months after, the earl of Stirling, principal secretary of state, died also. His poetical genius and scholarship first recommended him to James, and he succeeded to an equal share of favour with the son. He was the only Scottishman who had a foreign title, having been created viscount Canada, with liberty to dub an hundred knights, from each of whom he received a considerable sum of money. He obtained a grant of Nova Scotia from James, which he transferred to the French king for an ample consideration; and a license to coin copper, which he employed to debase the currency, till the abuse swelled the list of national grievances. He was succeeded as treasurer by lord William Hamilton, brother to the marquis of Hamilton, then in his twenty-fourth year, dignified with the title of earl of Lanark, a title, the patent of which, it was alleged, was formerly withheld, on account of the covenanting zeal of the dowager marchioness.

Pending the negotiations between the king and the Scots,

an incident took place which deserves to be noticed, on account of the effects which it produced on the affairs of the island, although at first sight it may appear rather unconnected with the passing events. Scarce two months after the king returned from Berwick, a large Spanish armament appeared upon the English coast, consisting of about seventy sail of ships. They were descried first by a small fleet of Hollanders beyond the Land's End, who, being too weak to risk an engagement, hovered in their rear, till they arrived in the narrow sea, when obtaining the weather gage, they kept up a brisk fire, not only to annoy the enemy, but to give notice to the Dutch admiral, Van Tromp, then blockading Dunkirk. Attracted by the noise of the firing, he broke up, and joined his countrymen with eight stout vessels, which now increased the Dutch squadron to twenty-five sail. Undismayed at the superiority of number, he resolutely attacked the Spaniards, and after a hard day's fighting, took three galleons, sunk one, and shattered a number, insomuch that the Spanish admiral sought refuge in the Downs. Here they remained nearly a month, the Dutch receiving re-enforcements daily, till at last Tromp, impatient of waiting, attacked the enemy, although within the English waters, with great fury, and sending in some fireships among them, the whole dispersed, each shifting for himself; twenty, under the vice-admiral, ran on shore; five were sunk, among which was a flag-ship; about thirty put to sea, under cover of a thick mist, but the day clearing up, they were again attacked by the indefatigable Dutch, and of the whole, about ten ships only, along with the admiral, Don Antonio D'Oquendo, reached a friendly port.

Rashly again at issue with his Scottish subjects, the very first steps of the king should have opened his eyes to the difficulties and dangers which lay before him. He had already had proof of their zeal and unanimity, and the dissatisfaction in England was such, that for eleven years he had not dared to assemble his parliament. The complaints of the Scots were similar to those of the English, and he was well aware that the wide diffusion of their supplications, and the personal communication which took place while the armies lay within sight of each other, had strengthened the sympathies of the

two nations for their mutual sufferings; and that the moderation which the covenanters always displayed, as well as the loyalty they uniformly professed, had created an interest in their favour, which their uniform, exemplary conduct, on every occasion tended to increase. In such circumstances a war was not likely to be popular in England, whence alone he could draw the means for carrying it on, and his treasury was exhausted by his last worse than fruitless campaign. To replenish it, he had recourse to his former illegal exactions, and as the invasion of his waters by the Dutch seemed to require that the honour and integrity of his naval dominion should be preserved, it afforded a pretext for imposing anew that hated course of raising supplies, by levying ship money; the lord high admiral was ordered to equip twenty vessels, and the tax, with arrears, was rigorously exacted.

Charles with great difficulty found means to raise an army, but all his resources he perceived would be inadequate to support it long. An English parliament therefore was resolved upon, and summoned to assemble under circumstances the most unfavourable, when his necessities were so urgent, and the irritations and disgusts of the puritans, who formed the most able, as well as the most numerous class of the community, so fresh and so strong. But he anticipated powerful effects from the demands of the Scottish estates, which his council had persuaded him were too enormous to be considered in any other light than as violent attacks upon his unequivocal rights of sovereignty, and the abstracted letter of the nobles, which, besides being in his opinion palpably treasonable, he affirmed was equivalent to a declaration of war against England, by inviting their ancient enemy into their country, whilst they displayed their malignity toward that nation, by stigmatizing them as strangers, unworthy to enjoy any dignities or privileges in Scotland, or being intrusted with the command of any fortified place in their country.

Unwilling, however, to trust that assembly with a long session, he delayed the day of opening till the urgency and pressure of the times should become so imperious and unequivocal, as to cut off all opportunity for protracted discussion, respecting the propriety of granting supplies. When they met,



therefore he represented the season of the year, the state of his armament, as reasons why they should proceed, in the first instance, to grant him such supplies as would enable him to meet the current expenses, assuring them upon the word of a king, that he would soon afford them another opportunity for inquiring into, and remedying the abuses of the state.

The house of commons did not participate so violently, as his majesty had expected, in his exasperated feelings. They proceeded to examine their own wrongs, which, as they felt more acutely, they were more anxious speedily to get rid of, than of the more distant, and somewhat doubtful wrongs of their sovereign. As they persisted in stating their grievances, the king impatient of their delay, and irritated at their non-compliance with his request, hastily dissolved them in a fit of passion, before they had sat much longer than a month. The ill humour which this abrupt termination engendered, was still farther promoted, by the harsh and unconstitutional acts which immediately followed. Henry Belasis, Esq. member for the county of York, and Sir John Hotham, were summoned before the council, and refusing to give an account of their conduct in parliament, were committed to the Fleet. John, afterward lord Crew, who had been chairman of the committee on religious affairs, because he would not deliver up the petitions and complaints which had been presented, was imprisoned in the Tower; and the cabinets of the earl of Warwick and lord Brooks, were broken open, and even their pockets searched, upon suspicion of having held some secret correspondence with the Scots.

A parliament, which the nation revered, being dissolved, the convocation which they hated, was, notwithstanding, allowed to sit and frame canons, an unusual circumstance during a recess of the legislature. Among their enactments, what afforded a fertile topic for ridicule, was an oath, which, in their anxiety to guard against Scottish contagion, they prescribed to be taken by all clergymen and graduates of the universities; they made them promise never to give their consent to alter the government of this church by archbishops, bishops, deans, and archdeacons, &c. and swearing to an *et cætera*, was thought rather a strange method of binding a man to a

particular class of orders in a church. But whatever might be their faults in the eyes of the people, they possessed redeeming qualities in the eyes of the king, they flattered his prejudices, and ministered to his necessities, by a seasonable benevolence from the spiritualities, amounting to about twenty thousand pounds sterling annually, for six years. The other expedients to which the king resorted in this exigency, were ordering the counties to advance coat, and conduct money for their respective troops;\* buying all the East India peppers on credit, and reselling them at a low rate for ready money; an extorted bonus of forty thousand pounds, from merchants who had bullion in the Tower, in order to save the whole from seizure; a forced contribution from the city of London, under pain of forfeiting their privileges; a voluntary loan to a considerable extent, was besides obtained from the nobles, and Strafford had procured five subsidies from the Irish parliament, amounting to about two hundred and fifty thousand pounds.

At length, by dishonourable shifts, and strenuous exertions, his majesty saw equipped for the Episcopal campaign,† nineteen thousand foot, and two thousand horse. None of the former commanders were employed, but instead, the earl of Northumberland was appointed general, Strafford, who was called over from Ireland on purpose, lieutenant-general, and lord Conway, general of the horse. Scotland exhibited a very different appearance; in opposition to the tardy, unwilling, impressed soldiery of Charles, all was animation, unanimity, and zeal. The wealthy readily contributed their money, plate, or credit, the women brought their ornaments to the public treasury, and provided cloth for the soldiers' tents, and the voluntary collections at the church doors, were increased to a considerable amount, by the small, but accumulated offerings of the lower and middling ranks, who emulated their superiors in the cordiality with which they gave, if not in the

\* These troops were pressed out of the militia of each county.

† One private country gentleman, little known, observed, that the supply was to be employed in the supporting *Bellum Episcopale*, which he thought the bishops were fittest to do themselves. Clarendon, vol. i. p. 136.

value of their gifts. The tables had not, even in signing the treaty, confided in the sincerity of the king, and when the army was disbanded, they retained the experienced officers among them, upon the honourable pretext, that they could not in justice, allow countrymen to go unrewarded, who had resigned their rank and honour abroad, to serve their native land in the hour of danger. The soldiers, they knew, on the first call would return to their ranks, and the merchants never intermitted the importation of arms and ammunition. The leaders had narrowly watched the proceedings of Charles, from his refusal to attend the meeting of the assembly and estates, till he called together his English parliament, and marked every progressive act of hostility, but they waited with patience till their own should re-assemble, after the prorogation had expired.

On the 2d of June they met accordingly, but Traquair, who was afraid to revisit Scotland as commissioner, omitted to forward a warrant to those who were appointed to act in his place. When a commission to prorogue was read, lords Elphinston and Napier refused to officiate without the commissioner's authority, and the other two, the lord justice clerk and king's advocate, unable to proceed without them, could only protest, a useless ceremony, as this was merely an adjourned meeting of a parliament, convoked by the king's authority. They then, without farther delay, chose lord Burleigh president, and resumed their business. The articles formerly prepared, were now adopted; the constitution of parliament was settled, and declared to consist only of nobles, barons, and burgesses, and all former acts in favour of bishops and other ecclesiastics, were rescinded; the lords of the articles were reduced to their original destination, a committee, which subsequent parliaments might, or might not choose as they saw fit, and when chosen, should be freely elected out of their respective estates; the acts of the general assembly were ratified, and the temporal and spiritual powers of the hierarchy abolished; no proxies were admitted, nor could any person be created a peer of parliament, unless possessed of ten thousand merks of yearly rent within the kingdom; grievances, instead of being given in as formerly to the clerk register,

were to be openly presented to the house; the privy council was rendered subordinate, and accountable to parliament, and the meeting of parliament once in three years was secured, the time and place to be appointed by his majesty, or his commissioner, in conjunction with the estates, before the closing of every parliament; arbitrary proclamations were declared illegal. After these acts, establishing the constitution, liberty, and powers of the parliament, a committee was chosen, to manage all affairs concerning the army, raising money, and preserving the public peace, one half to attend the general in the camp, and the other to remain at Edinburgh. To them was intrusted the whole executive power, till next meeting of the estates in convention or in parliament. To defray the expenses of the war, a tenth of the rents, and a twentieth of interest were imposed, and to meet the immediate demand, the committee were empowered to borrow upon their own security. To supply the want of the royal assent, the whole lieges were ordained to subscribe a bond, promising to obey, maintain, and defend the acts and constitutions of that session; they then prorogued, by their own authority, till the 19th of November, and ordered all their acts to be printed. After parliament rose, the committee transmitted a copy of their acts to lord Lanark, secretary, to present to his majesty, with a declaration prefixed, justifying their proceedings, and a loyal petition annexed, praying his majesty's approval.

War having already commenced, all trade was interrupted by the English cruisers; and the garrison of Edinburgh castle, which had been victualled and re-enforced during the hollow truce, commenced firing upon the town, and committed several acts of wanton depredation upon the citizens. The king issued his manifesto, and refused looking at the representations of the last Scottish parliament, which he pronounced treasonable; the Irish parliament declared the Scots rebels, and authorized every attempt to reduce them by force to obedience. At last the general committee issued their orders for embodying every fourth man capable of bearing arms, and their army to assemble. Sir Alexander Leslie was again appointed commander-in-chief, lord Almond, brother to the

earl of Linlithgow, lieutenant-general, W. Baillie, major-general, colonel A. Hamilton, general of artillery, colonel John Leslie, quartermaster general, and A. Gibson, younger of Durie, commissary general. The nobles in general, had the rank of colonel, but as their knowledge of the art of war was limited to the commotions which had taken place in their own country, they were assisted by the advice of veterans, who had been bred in camps, and who were appointed as lieutenant colonels. Argyle was ordered to protect the west coast, and reduce the disaffected clans in the north. He accordingly, committing Cantyre and the Islands to the charge of their inhabitants, traversed, with a force of about five thousand men, attended by a small train of artillery, the districts of Badenoch, Atholl, and Marr, levied the taxation imposed by the estates, and enforced subjection. The earl of Atholl having made a show of resistance at the ford of Lion, he sent him prisoner to Stirling; and his factor, Sir Thomas Stewart, younger of Grantully, together with twelve of the leading men in the county, he ordered to ward in Edinburgh, till they found security for their good behaviour, and exacted ten thousand pounds Scots for the support of his army. Thence he marched into Angus, where he lived at free quarters, and demolished the house of Airly, which lord Ogilvy had been obliged to abandon. After having secured the peace of that district, he returned home to Argyleshire, in time to relieve the western soldiers, who were required to join the main army.

Episcopalians speak with indignation of the ravages committed during this incursion, but Balfour represents the army as under the strictest discipline, and instances the execution of four soldiers for committing robbery. Monro, who was sent to the north, was less scrupulous. Accustomed to pillage in the German wars, he suppressed the king's adherents with unjustifiable severity. His first act, for which it is alleged he had neither the authority of church nor state,\* but for which he certainly had the example of Montrose, was

\* Stevenson, vol. iii. p. 880.

imposing the covenant on all he suspected of disaffection.\* For disobedience to this injunction, he sent twenty-six of the wealthiest burgesses of Aberdeen prisoners to Edinburgh, where they were detained a considerable time, and only relieved by paying pretty heavy fines. He besieged and took Drum, situate near the river Dee, the seat of Sir Alexander Irvine, a gentleman of great estate and ancient family, and a firm anti-covenanter, who had garrisoned the place, but was absent when it was attacked, and his lady, terrified by the cannon, and hopeless of relief, surrendered. Here forty soldiers were quartered, with directions to remain till all the provisions of the castle were consumed, and then to subsist upon the produce of the estate.

Returning to Aberdeen, he augmented his army with some townsmen, and plundering the country as he went, marched against Strathbogie, where he encamped, cutting down the shrubbery and plantations, to make huts for his soldiers. Earl Marischal, who was with Monro, sent to his relation the marchioness, who remained at the Bog, [now castle Gordon,] during the absence of her lord, and required the keys, which were immediately sent. The soldiers, on obtaining possession of the store rooms, began to bake and brew, and, supplying themselves from the stock of the tenantry, with beef, mutton, or poultry, rioted with all the wanton waste of unlicensed mercenaries in a conquered country. Encouraged by the example of the troops, a Highland robber ravaged Moray, and drove off a great number of horse, kilt, kine, and sheep, to the fields of Auchindown, where he was

\* It is worthy of remark, that the covenant was first imposed at the point of the sword by Montrose, before it was legally enacted by parliament; now it formed part of the law of the land, and from the period when it became so, it became obnoxious to the most powerful objections which the covenanters themselves so strenuously urged against the impositions of Charles, and to which all religious tests are liable, when forced upon the consciences of men by any other than rational conviction. While it was a voluntary bond of association, for the defence of religion and liberty it was laudable; from the peculiar circumstances of the country, requiring assent to it from men in public situations, might perhaps be necessary; but to enforce it by pains and penalties, on those whose sentiments were different, was as verily persecution, as commanding the observance of a liturgy.

pasturing them quietly as his own property, when Monro came upon them, and drove above two thousand five hundred head of cattle to Strathbogie, where they were sold back to the owners, at the rate of a merk the sheep, and a dollar the nolt.

Leaving the main body at Strathbogie, the general, with three hundred men, and some fieldpieces, set out for Spynie, the residence of Guthrie, bishop of Moray, who, without resistance, offered him the keys, and invited him and his followers into the castle. In return, Monro, seized only the ammunition and military stores, and having left a small guard of twenty-four men, came back to the marquis of Huntly's grounds. His soldiers, who had been allowed to revel in the spoils of the country, dissatisfied at the small share they had received of the monies levied, exhibited a mutinous disposition, but Monro, whose military discipline partook of the German school,\* quickly suppressed it, by a summary execution of the principal ringleaders. As he had now rendered the district "moneyless, horseless, and armless," he returned the keys of Strathbogie to the marchioness of Huntly, set fire to his camp, and marched to Banff, the magnificent seat of Sir George Ogilvy, which he destroyed, together with his garden, then the finest in Scotland, enclosed with excellent stone walls, and well stocked with fruit trees, all of which he cut down, nor did he leave a hedge standing. Sir George was then with the king, who, when the disaster was related, remarked, "as for the house it mattered not much, money could build it up again in a short time; but it was cruel to destroy his garden, which years could not repair." By these severe measures, he dissipated all the projected risings in the north, broke the power of the royalists, and preserved peace for the time, but he left behind him deep dissatisfaction, and rendered the district he had wasted, irreconcilable to the covenant, although a number had subscribed it, to avoid being plundered.

Agreeably to their appointment, the assembly met at Aber-

\* One of his modes of punishment was by the *trein mare*, a narrow wooden plank, which the soldier was forced to ride with weights affixed to his feet.

deen, notwithstanding the confusion and din of arms, and is remarkable for the first introduction of discussion upon an embryo sect, which was afterward to make such a prominent figure on the canvass, during the troublous times that followed. While the Perth articles, and other innovations were rigidly urged, a number of pious persons, particularly in Edinburgh, who could not consistently attend the places of worship where these were enforced, were accustomed to meet together for prayer, reading the Scriptures, and religious conference, and sometimes during church hours; but in the north of Ireland, that practice had been much more universal, for the Presbyterians there having been deprived of their ministers, who were driven away by the bishops, they found these social meetings a mean of preserving a lively sense of religion among them. A practice so similar to that of the Independents, naturally led to the adoption of congenial principles, and a number of the Scoto-Irish, looking forward to a refuge in America, were partial to the form of discipline which prevailed among the churches of New England. But when sects at first break off from a national church, it is not uncommon for a considerable degree of enthusiasm, and a bitter party spirit, to mix along with their endeavours after a purer communion, from a number of half informed proselytes of unsettled principles, or unruly passions, who, perhaps leaving an establishment from motives of personal irritation, of conceit, or disappointed vanity, think the farther they recede from the church they leave, the nearer they approach to perfection. Some such mingled with these good men, and by their extravagancies, refusing to worship with the congregation, meeting during the night, censuring others as less holy than themselves, and delighting in useless and impertinent disputations, created a feeling of unkindliness towards the whole body, which was afterward heightened by other causes, continued long in Scotland after the original offences were done away, and is not yet entirely extinguished.

When the persecution in Ireland forced numbers to flee, some who had not the means of crossing the Atlantic, came to Scotland, where they were kindly received, and on account of their remarkable piety, their peculiarities were in general



charitably overlooked. But the laird of Leckie, who had suffered much from the bishops, and was esteemed an intelligent and a good man, having settled at Stirling, his exemplary devotion attracted around him numbers, chiefly of the lower orders, whom he encouraged to associate for religious exercises; several of them who were unable to read, attended on his family worship, it was alleged to the neglect of their own, and some, who, as was conjectured, came as spies, carried expressions which he had used in prayer, to the minister, and represented them as reflections cast upon him. The minister, Mr. Henry Guthrie, \* immediately brought him before the presbytery, where he and they who attended at his meetings, were condemned as encroaching on the office of the ministry, and the magistrates expelled them from the town! † Not satisfied, however, with the punishment of Leckie and his fellow worshippers, he wished to root out the heretics, and collecting every report he could hear to their disadvantage, he endeavoured to get social meetings for Christian exercise prohibited by the assembly, 1639; but Mr. Samuel Rutherford, and Mr. David Dickson, afraid lest the characters of the innocent, and religion itself should suffer, through the imprudence of a few, prevented the matter from being brought before that meeting. Yet Guthrie still kept alive the flame, which the more temperate of his brethren wishing to extinguish, a conference was held in Edinburgh, between the leaders on both sides of the question, Mr. Alexander Henderson, and Eleazer Borthwick, who were against, and Mr. David Dickson, and Mr. Robert Blair, who favoured the practice of private meetings, the result of which was drawing up a few caveats to prevent abuses. In these, the people were admonished to guard against doing any thing in their meetings, prejudicial to the public worship of the congregation; that the number assembled be few, and unseas-

\* It cannot be too strongly inculcated, that zealots always hurt the cause they espouse, and ought ever to be suspected; this fiery presbyterian we shall meet with after the restoration, as bishop of Dunkeld. His Memoirs, or rather apology, were published after his death, but by an editor of somewhat suspicious fidelity.

† Stevenson's Ch. Hist. vol. iii. p. 891.

onable hours avoided, such as the time of public worship, of family exercise, or the night season; that the use of this mean, interfere not with their secular employments, or relative duties; that the meetings be only occasional, and that they be not the cause of dividing between the members and the rest of the congregation, in estimation nor affection, and if they have any doubts respecting the established order, that they present them, with their reasons, to the ministry and assemblies of the church; that the exercise be prayer and conference, and the proper distinction be observed between what belongs to private Christians, and what belongs to the function of the ministers; and finally, that all things be done with prudence, humility, and charity, that the church may be built up in one body, and not divided or destroyed.

The caveats were in general considered throughout the country, as the only and most satisfactory manner of treating the meetings, but Guthrie insisted upon stronger measures, and having gained over a number of the north country ministers, the business was brought before the present assembly. After a riotous debate, in which the opposers of the meetings, endeavoured by clamour to carry a condemnatory sentence, and the others—Mr. Samuel Rutherford in particular — \* contended, that the practice was Scriptural, and what the Scriptures warranted, no assembly had any right to disallow, an act passed, prohibiting any person, except a minister, or expectant approved by the presbytery, from explaining the Scriptures in public, or admitting to family worship, more than the members of the family. Several of the more pious members of the assembly were highly displeased with this regulation, but submitted to their noisy brethren for the sake of peace, and not to expose the church to obloquy in

\* Mr. Rutherford all the while was dumb, only in the midst of this jangling, he cast in a syllogism, and required them all to answer it, “What Scripture does warrant, an assembly may not discharge; but privy meetings for exercises of religion, Scripture warrants, James v. 16. Confess your faults one to another, and pray one for another. Malachi iii. 16. Then they that feared the Lord, spoke often one to another; thir things cannot be done in public meetings, *ergo*, &c.” A number haunsht at the argument, but came not near the matter, let be to answer formally, and lord Seaforth would not have Mr. Samuel trouble us with any of his logic syllogisms. Baillie, vol. i. p. 200.

a place where there were so many who were waiting for their halting. This decision it would be difficult altogether to justify, it may perhaps be palliated by the consideration, that a number of the members of assembly were influenced by a dread of appearing to encourage improper practices in secretaries, the evil effects of which some of the most learned of their body had witnessed on the Continent.

In times of violent public agitation, it is impossible always to repress the rabble, so that no extravagancies will occur, although often the most violent, are those that arise from the enemies of the cause they pretend to espouse. Aberdeen, from the indecision and versatility of her politics, appears to have been especially exposed to visitations of this kind, and was alternately plundered and harassed by covenanters, and non-covenanters. While this assembly was sitting, some of the former vented their pious indignation against the remnants of idolatry;\* but we shall afterward find the latter strewing the streets with the carcasses of the slain.

During the early period of the Scottish preparations, the confinement of the earl of Loudon, prevented all direct intercourse with the king; the Scots alleging, that they durst not venture to send any commissioners, as the public faith had been so openly violated in his case. His majesty at last, con-

\* The earl of Seaforth, master of Forbes, with the principal of the college, the doctor civilian, with a number of barons and gentlemen, held a meeting in king's college, to settle some internal regulations, and it is pitifully recorded, that they "riding up the gate to St. Michael's kirk, ordained our blessed Lord Jesus Christ, his arms to be cut out of the forefront of the pulpit thereof, and to take down the portraiture of the blessed Virgin Mary, and our Saviour in her arms, that had stood since the up-putting thereof, in curious work, under the ceiling, at the west end of the pend, whereon the great steeple stands, unmoved till now; and gave order to colonel master of Forbes, to see this done, whilk with all diligence he obeyed; and besides, where there were any crucifixes set in glass windows, those he caused pull out in honest men's houses; he caused a mason strike out Christ's arms in hewn work, on each end of bishop Gavin Dunbar's tomb, and sicklike chizel out the name of Jesus, drawn cypher ways, out of the timber wall on the foreside of Machar's isle, anent the consistory door; the crucifix of the old town cross was thrown down, the crucifix on the New Town closed up, being loath to break the stone. The crucifix on the west end of St. Nicholas' church in New Aberdeen thrown down, whilk was never touched before." Spalding, vol. i. p. 246.

vinced of the impolicy of detaining him, on the suggestion of the marquis of Hamilton, entered into a treaty with the captive lord, expecting to purchase his gratitude and services by setting him free from an unjust imprisonment. He was accordingly enlarged, and allowed to return to his native country, carrying with him an answer to the letter which the Scottish nobles had sent to the earl of Lanark, when they transmitted him the acts of parliament, refusing the royal assent to the acts; hinting, however, that the refusal was not absolute, but that when they should take such a humble and dutiful way as should witness that they were not less careful and tender of his majesty's royal power, than they were desirous of his approbation, then it would be time to expect such a gracious and just answer, as would testify his fatherly compassion for his native kingdom, and his pious and princely care for performing whatever was necessary for establishing their religion and laws.

When Loudon arrived, affairs had proceeded too far to admit of any settlement, short of an unreserved compliance on the part of the king with the demands of his subjects, or an irresistible power to crush their gathering strength. He was not willing to yield to the first, and therefore determined to try the last alternative; but it was toward the close of the summer ere active operations on either side could commence, and the first movements on the part of the English gave warning for the Scots to assemble. Orders were instantly despatched from the general committee at Edinburgh to all the sub-committees in the counties, to hasten the march of their different quotas to the general rendezvous, with provisions for from thirty to forty days. Early in August they arrived at Dunse, where they were reviewed by the general, and their numbers amounted to twenty-three thousand foot, three thousand horse, and a train of heavy artillery, besides some light cannon formed of tin, and leather corded round, capable of sustaining twelve successive discharges, a species of gun which had been used by Gustavus, and which the Scottish general had borrowed from that service.\*

\* Guthrie ridicules the idea of leathern guns, Hist. vol. ix. p. 309. but Burnet says distinctly they had an invention of guns of white iron, tinned and

For nearly three weeks, the army lay upon the borders, improving themselves in discipline, and preparing for the field by devotional exercises, in which they were assisted and directed by the most eminent of the ministers, who attended the camp in the capacity of chaplains, and were not less useful in enforcing subordination, and exciting courage by their exhortations, than their officers in teaching the military art by their instructions.

The advance of the royal troops under Conway toward Newcastle, was the signal for the Scottish force to break up, and anticipate their attack by marching into England. This movement, which appears to have been unexpected by Charles, who possibly supposed that his opponents would wait, as they did last campaign, till they were invaded, although in itself so evidently advantageous and necessary, is, however, said to have been occasioned by a letter from lord Saville, to which was appended the names of several other noblemen—Bedford, Essex, Broke, Warwick, Say, Seal, and Mandeville, encouraging them to enter England without delay. This letter, which afterward turned out to be a forgery, was rendered highly probable, by the previous connexion which the Scottish commissioners had had with these noblemen, and with Hampden, Pym, and the rest of the leading patriots while in London, who encouraged them to proceed in their opposition to the court, hoping that, from their exertions, advantage would arise to the cause of liberty in England; and as a farther corroboration, Saville wrote to lord Loudon, assuring him that the entrance of the Scots into England would embolden their friends, who were ready cordially to unite with them in a remonstrance, which should comprehend the grievances of both nations, and looked to their army as the chief means for effecting their desires, promising them, as they advanced, supplies of money, re-enforcements of men, and plenty of provisions.

As a still farther stimulus, the following letter was sent to headquarters. “Such is our affection to your cause, and corded, so that they could serve for two or three discharges; were light, and were carried on horseback.—Hist. vol. i. p. 36. Carte informs us, that such were used in Germany, in the History of Gustavus.—Laing, vol. iii. p. 194.

care of your affair, that nothing hath been omitted which might conduce to the furtherance of your design, nor the discharge of our own promises; but your often failing in point of entrance, after solemn engagements by word and write, hath deadened the hearts of all your friends, disabled the most active to do you any further service, and disappointed yourselves of near ten thousand pounds, which was provided and kept for you till you had twice failed, and that there was little or no hope of your coming. The Lord hath given you favour in the eyes of the people so, as I know not whether there are more incensed against our own soldiers, or desirous of yours. If you really intend to come, strike while the iron is hot; if you be uncertain what to resolve, let us know, that we may secure our lives, though we hazard our estates by retiring. Here is no body of an army to interrupt you, no ordinance to dismay you, no money to pay our own; the city hath once more refused to lend, the trained bands to be pressed, the country storms at the billeting of soldiers, quarrels arise every day about it. If you have a good cause, why do you stand still? If a bad, why have you come so far? Either die or do, so you shall be sons of valour. P. S. If there be any thing of consequence, you shall have speedy intelligence of it."

From whatever source these invitations proceeded, they arrived very opportunely to enforce the only line of conduct the Scots could pursue. Their provisions and pay were every day wasting, and by marching into another country, they would bring affairs to a crisis, or procure subsistence for their forces, if obliged to maintain them long together. The committee in the camp, therefore called a general council of officers, to consider the propriety of carrying the war into England, when it was unanimously determined on, and a deputation sent to Edinburgh to communicate their resolution to the committee there, with which they cordially coinciding, two preparatory papers were printed and dispersed, one entitled, "Six Considerations, Manifesting the Lawfulness of their Expedition into England;" the other, "The Intentions of the Army of the Kingdom of Scotland, Declared to their Brethren of England."

The considerations were, first, that paramount plea, necessity; either they must seek peace in England, or maintain armies on the borders to defend their country from invasion, which they cannot support; be deprived of their trade, which they cannot want, and be without the administration of justice, which would occasion a confusion not to be endured. Second, this expedition is in part defensive, for the aggression was first begun on the part of his majesty, who refused to ratify the articles of pacification agreed on with their commissioners, and in his council declared war without hearing their deputies, convened the English and Irish parliaments to grant subsidies for carrying it on, ordered their ships and goods to be seized and confiscated, and authorized the inhabitants of Edinburgh to be killed by the garrison of the castle. The conduct of the Protestants in France, in similar circumstances, was justified by those who would now wish to be considered the greatest royalists in England; and if it be lawful for a private man, when his house is shut up, and the supply for himself and family prevented, to forcibly break the illegal enthrallment, it is equally so for a nation when blockaded to seek the like relief; but as a conclusive proof that their object was only defence, they affirmed their willingness to lay down their arms as soon as a secure peace could be obtained, by which their liberty would be preserved. Third, that they had endeavoured by supplications to avoid extremities, but were constrained to take arms by their enemies, who wished to make their resistance to oppression a national quarrel, which, however, they hope will prove a firmer bond of union between the nations in the work of reformation. Fourth, it is lawful, because it is not against the nation, but the Canterburian faction, misleaders of the king, and common enemies of both kingdoms. Fifth, the end for which they come; not to do any disloyal act against his majesty, or enrich themselves, but to suppress and punish in a legal way, the disturbers of the church and state. And sixth, the blessed effects which will follow their success; Scotland reformed as at the beginning; the reformation of England, so long prayed for, brought to pass; Papists, prelates, and all other members of the antichristian hierarchy dismissed; the names of sectaries and

separatists no more mentioned; and the Lord one, and his name one, through the whole island. In this paper were first openly expressed by the Presbyterians a wish to extend their own form of church government to the sister kingdom, and that exclusive claim to pre-eminence and civil protection, which afterward became the source of so much misfortune and misery.

The "Intentions," which may be considered as the Scottish manifesto, is an able and an elegant production, drawn up with much art to conciliate the English nation, and though it breathes the same spirit, does not so avowedly profess the principle of conformity as the Instructions. In it they disclaim all intention to enrich themselves at the expense of their dear brethren, and appeal to their past conduct and known moderation as pledges of the sincerity of their present professions; for though their ships and goods were seized by the king's ships, they had made no retaliation upon the property of the English. They gratefully acknowledge the hesitation of their parliament to grant supplies, while that of Ireland had been so obsequious, and the affection of the city of London, and attest before God their desire to repay such kindness, by avoiding, unless compelled to it by Papists or prelates, every act of violence or bloodshed, but warn them, that the forcible suppression of their complaints would be a precedent for putting down their own. Before they ever ventured to supplicate, they had suffered many years, nor was it till they were forbidden to insist, under pain of treason, that they renewed their national oath and covenant; and when his majesty was moved by wicked counsel to march toward them with an army, rather than seem disobedient to their king, or distrustful to their brethren in England, they disbanded their forces, delivered up their strong holds, and, notwithstanding their former lawful assembly, were content that their proceedings should be reconsidered by a new assembly and the parliament. When these proceedings were determined by an assembly, in presence of the royal commissioner, and parliament met to ratify them, it was illegally prorogued, their representations were not heard, and instead of a gracious answer, their commissioners were latterly restrained, one noblemen impris-



oned, and war commenced. The authors of these disastrous counsels, they declared to be the archbishop of Canterbury, and the lord lieutenant of Ireland, whose punishment they required, but in no other manner than what their own parliament should determine. The question then, they add, is not, whether they shall defend themselves at home, or invade their dearest brethren? but whether they shall keep themselves at home, till their throats be cut, and their religion, laws, and country destroyed, or seek their safety, peace, and liberty in England? They must not have men think, that to come into England, is to come against England. Had the wrongs done them been done by the state, then there had been just cause for a national quarrel; but the kingdom, convened in parliament, refused to contribute any supply against them, and have shown that they are oppressed with grievances like themselves which the king hath declared he will redress out of parliament, whereas national grievances require the hand of parliament to cure; but to prevent this interfering, they were dissolved. They then entreat and exhort all who love their religion and liberty to join against the common enemy, whose design was, if they could stir up their dearest brethren and neighbouring nation to war, first to quiet Scotland by some ill secured peace, till England were subdued by the army ostensibly raised against them, and then to rivet the yoke of despotism upon both; but they obtest the purity of their intentions; that they will not take from their dear brethren, without price, or security if their money fail, from a thread even to a shoe latchet; they shall demand nothing of his majesty but the safety of their religion and liberty, and their abode in England shall be no longer than till these are secured by their parliament, their just grievances redressed, and sufficient assurance given for the trial and punishment of the authors of their evils.\*

The faithlessness and insincerity of the king, so flagrant in all his transactions with the covenanters, thus at last drove them to appeal for justice and security to the English parliament. In reviewing their progress from their first humble supplica-

\* Rushworth, vol. iii. p. 1223. Ib. Appendix, p. 283.

tion to this decided manifesto, the tardy concessions of Charles are prominent among the causes which produced so portentous a result; instead of coming in time to allay the ferment, they came always precisely at the moment when they were useless, except to stimulate to fresh demands, and accompanied with reservations which called for additional securities.

Anxious to make good their professions, the Scots, whose funds began to be exhausted, despatched two of the most popular noblemen, accompanied by Henderson and Johnston, to Edinburgh, to use their influence with the citizens in procuring an advance; and as it would have created discontent among the English, if the Scottish army, on their entering the country, had cut down the trees and shrubs for huts, they were to try and procure, likewise, as much cloth as would serve for tents during their encampments. They arrived late upon Saturday night, but so effectual were the exhortations of the ministers next day, that on Monday the women produced webs of coarse linen, almost sufficient for the whole army, and the monied men, with equal promptitude, advanced the sum of one hundred and twenty thousand pounds Scots, with a promise of remitting as much immediately, which they rigidly performed.

Every preparation being now completed, the Scottish army broke up from Dunse, and on the 20th of August crossed the Tweed at Coldstream, Montrose on foot, at the head of his regiment, leading the way. The college of justice troop, consisting of one hundred and sixty gentlemen, under Sir Thomas Hope, rode on the right wing, and broke the stream. They entered England in three divisions, lord Almond commanding the van, major-general Baillie the centre, and Leslie bringing up the rear. On the 22d they encamped near Wooler, and during the night were attacked by the garrison of Berwick, who made a sally, and surprised a detachment, from which they took three fieldpieces; but the alarm being given, the guns were quickly retaken, and the assailants driven back, with the loss of several prisoners. On the 26th they encamped at Frewick\* on Newcastle-muir; thence the committee

\* Baillie, vol. i. p. 204. Rushworth, vol. iii. p. 1223, calls the name of this place Creich; he says the message was sent from Newburn.

despatched, by a drummer, two communications to the mayor of Newcastle, and to Sir Jacob Ashley, commander of the troops, enclosing their manifestoes, deprecating all hostilities, and requesting that no obstruction might be offered to their passage through that town, their sole intention in taking arms being to defend themselves against any who should prevent their access to his majesty, before whom they meant to lay their grievances. Their letters were returned by Sir Jacob unopened, and the drummer desired to inform them, that no sealed papers would in future be received. Next day the army marched to Newburn, about five miles above Newcastle, and took post on an eminence behind that village, and in the neighbourhood, kindling large fires, during the night, in and round their camp, to a considerable extent, which conveyed to their enemies an impression of a much more formidable force than they really possessed.

On the same day that the Scots entered England, Charles left London for York, to join an army almost in a state of mutiny. Some of the soldiers had risen upon their officers, and one lieutenant, who was a suspected Papist, had been murdered; others had broken into a church, torn up the altar, and burned the rails before the minister's door, and the officers had not sufficient power to try them by martial law, even for such notorious breaches of military discipline. At York the gentlemen of the county were waiting his arrival with a petition, praying to be relieved from the billeting of soldiers, and for an advance of fourteen days' pay to their levies, without which they did not think they would be able to raise, or forward them to the army.

Embarrassed by these untoward circumstances, the king's perplexities were increased by despatches from lord Conway, who, with a detachment consisting of about four or five thousand foot, and between two and three thousand horse, had advanced to observe the motions of the Scots, and guard the passage of the Tyne, informing him of the approach of the Scots, and desiring instructions how to dispose of his force. His majesty immediately summoned the gentry then at York to wait upon him, and informed them by the earl of Strafford, that it was now no time for disputation about pay; the country

was invaded, and all classes were bound by their allegiance to attend their sovereign, at their own proper charges and cost.\*

As soon as the meeting separated, an express was sent off to Conway, with orders to engage the Scots. The messenger reached him at Stella, about half a mile distant from the army, where he was holding a council of war with his general officers, to whom he had scarcely submitted the despatches, when another arrived in haste to inform him, that the army was already engaged with the Scots. The English were intrenched on the south bank of the Tyne, where they had constructed two four-gun batteries, one at each of the fords, and placed in them five hundred picked musketeers; the rest of their forces were stationed in a meadow, at the foot of a rising ground, nearly a mile in rear. The Scots had planted some heavy cannon on a hill opposite the enemy, in the town, and on the steeple of Newburn church; their musketeers were in the church, houses, lanes, and hedges, in and about the village.

Both continued thus arranged during the morning of the 28th, and watered their horses on their respective sides of the river, without molesting each other, when an unexpected incident brought on an engagement. A Scottish officer, about mid-day, while in the act of watering his horse, being observed to fix his eye steadily on the opposite intrenchments, was shot by an English centinel. The Scottish musketeers, who perceived him fall, immediately commenced firing, and were seconded by the artillery, whose fire seemed the effect of magic, as the houses and trees had screened them from the view of their opponents. A breach was soon effected in the English works, and the troops abandoned them in disorder. On their confusion being seen from the Scottish side, the general's guard, consisting of the college

\* *Strafford's manner was imperious and harsh, and contributed not a little to alienate the affections of the nobles from his master. In his address to the gentlemen upon this occasion, after telling them that it was little less than high treason to hesitate about the service, he politely added:—"I say it again we are bound unto it by the common law of England, by the law of nature, and by the law of reason; and you are no better than beasts if you refuse."*—*Rushworth*, vol. iii. p. 1235.

of justice troop, headed by Sir Thomas Hope, were ordered to cross at low water, and take possession of the batteries, which they easily effected, making prisoners of all that remained in the trenches. They were followed by colonel Leslie, with some additional troops, who joined in the pursuit of those that had fled. These, rallying in a narrow pass, were charged by Sir Thomas Hope, supported by Leslie, and driven back; but being joined by twelve troops of heavy English cavalry, they again formed, and the Scots, who had advanced too far, were forced to retreat, under protection of their own cannon. The English, not aware of a new battery which the Scottish general had erected, continued to press forward, when it opened upon them, threw them into disorder, and forced them to retire upon the main body. The Scots, who had remained on the north bank of the river, impatient to engage, were now led on by lords Loudon, Lindsay, Queensberry and Montgomery, but ere their van had reached the spot, the day was decided. The English foot sought refuge in a wood, and the horse, in covering their retreat, were attacked by a fresh body of Scots, defeated with some loss, and their commanders taken prisoners, while the scattered privates escaped under cover of night, to carry dismay and confusion to the main body. The loss was inconsiderable, but the rout was complete, and the Scots had to boast of a standard, and three officers of rank, as the trophies of the day.\* So panic struck were the English, that their cavalry retired hastily to Durham, the foot to Newcastle, and early next morning, the whole were in full retreat into Yorkshire.

On the same day on which the victory at Newburn fords was gained, the castle of Dunbarton capitulated, a grievous scurvy having broken out among the soldiers; otherwise the rock was impregnable, being in a complete state of defence, well provisioned, and fully garrisoned.

\* Clarendon says, the English loss was "not a dozen," Hist. vol. i. p. 155. Rushworth estimates them at more than sixty killed, vol. iii. p. 1238. Whitelock states them at five hundred killed and prisoners, p. 54. The letter of the Scottish committee of war mentions no number. No account rates the Scottish loss exactly, but it was trifling.

To complete the fortunate events of the 28th, an attempt, made by the troops from Berwick, to surprise the Scottish depot at Dunse, was defeated by the earl of Haddington, who retook some cannon they were carrying off; but the exultation occasioned by these events was in some measure damped, by the explosion of a powder magazine at Dunglas, which buried in the ruins of the castle the earl of Haddington, two of his brothers, a son of the earl of Marr's, a number of gentlemen, and upwards of eighty of inferior rank.

Shortly after, the ever varying chances of war, compensated in some measure for this disaster, by the surrender of Edinburgh castle, which it tended to hasten. At the meeting of parliament in July, the captain cannonaded the town, and killed several of the inhabitants. When required by the estates to desist or surrender, he refused to give up his charge to any order but the king's, and continued hostilities. The place was then besieged in form, and batteries erected on the Castle-hill, in Grey Friars' church-yard, and at the West kirk; but their cannon were light, and made little impression. Toward the end of July a mine was sprung, of which the garrison being apprized, \* the besiegers were repulsed in the assault, and the breach was speedily repaired. Having exhausted their means of offence, the covenanters turned the siege into a blockade, and were patiently waiting the effects of famine, when the castle of Dunglas was blown up. The country catching the alarm at the catastrophe, all the beacons on the line were kindled; and the garrison, who were in hourly expectation of the English fleet, perceiving the signals lighted, never doubted but this was to announce their arrival on the coast. In the excess of their joy, they consumed almost the whole of their remaining provisions in a feast on the occasion, which being unable to replace, when they came to learn the real state of the affair, they proposed to capitulate, and their brave defence was rewarded by honourable conditions. †

\* An arrow, with a letter wrapped round it, is said to have conveyed the intelligence to Ruthven, the governor.—Gordon's Hist. vol. i. p. 390.

† Baillie, vol. i. p. 206—8 Balfour's Ann. Guthrie's Mem. p. 86.

Notwithstanding their victory, the Scots were in a very critical situation, their provisions were exhausted, and the country people fled as they approached, carrying with them whatever they possessed the means of transporting. Had Newcastle shut its gates, they were without the means of reducing it, and must have dispersed in quest of subsistence, or returned from a useless, irritating inroad, to disband at home the ability of their general, and the terror their victory caused in the English army, saved them from any disagreeable retrograde motion. The night after the battle was spent by the invading army under arms, nor did they venture to move forward, as they understood eleven thousand men were quartered in Newcastle, and the rest of the royal army at no great distance, but next day, on learning that they had evacuated the town, Sir Archibald Douglas of Cavers, with a trumpeter, and attended only by two gentlemen as witnesses, was sent to the mayor, to assure him of the friendly disposition of the Scots, and persuade the citizens to continue their usual occupations without dread, as the army would not enter the town, but encamp on the heights, and the general would set a guard to prevent any stragglers from doing mischief.

Next day, the commander-in-chief, attended by the committee, and a number of officers, escorted by his lifeguard, entered the place. They were cordially received by the mayor and aldermen, who welcomed them with a magnificent banquet, after which they went to church, where Mr. A. Henderson preached a thanksgiving sermon. In the town they found five thousand stand of arms, and plenty of cheese, biscuit, and other provisions, abandoned by the English in their hurry. The colliers, who were reckoned about ten thousand, terrified by a report industriously spread, that the Scots would give no quarter, had all absconded, and upwards of a hundred vessels who were entering the river the day after the engagement, on hearing of the victory, went away empty.\* This afforded the covenanters an opportunity of displaying their moderation, and procuring a great accession of friends; they invited the workmen to return fearlessly, for

\* Rushworth, vol. iii. p. 1239.

their wishes were to help, and not to hurt, they sent two noblemen to inform the masters of vessels who were preparing to depart, that they might remain with safety, and complete their cargoes, and they despatched a letter to the mayor and aldermen, of London, filled with protestations of friendship and affection, announcing their occupation of Newcastle, as a measure necessary for their own security, but which would occasion no inconvenience to the capital, as the trade in the essential article of coals, would suffer no interruption from them, but would be rather protected, as a testimony of respect to a city, of whose regard for the peace of the two kingdoms, they were fully persuaded, and to whom they were desirous to show every mark of kindness in their power.

The facility with which they had obtained Newcastle, emboldened the Scots to attempt Durham, which also, without resistance opened its gates. The bishop and leading clergy having fled into Yorkshire, the earl of Dunfermline was appointed governor, and stationed in it with a brigade. Tyne-mouth and Shields were likewise taken possession of, in which latter place, some vessels with stores for the king's army, fell into the hands of the Scots. The earl of Strafford was at Darlington, on his road to join the army, when the news of the defeat reached him, which he had scarcely heard, when he was astonished with intelligence of the evacuation of Newcastle by the king's troops without a blow. Uncertain of the extent of the disaster, he sent a messenger to the army, with instructions to the officers to collect their scattered forces, and retreat upon York, at the same time issuing a proclamation, requiring the inhabitants of the county palatine, to bring all such butter, cheese, bread, and milk, as they could possibly furnish, to Darlington; to take away, or break all the upper millstones; and to remove all cattle, and whatever might be of use to the enemy, to places of safety. The king, who had advanced as far as Northallerton, in hopes of being present with the army before any engagement, was there met by the disastrous tidings, and hastened back to York, to ruminate upon this most inauspicious commencement of the campaign, and lament over misfortunes which might have been foreseen and prevented, but against which



he had provided no resource, and for which there appeared no remedy.

Established in comfortable quarters, the Scots were not anxious to press forward, they dreaded raising the national spirit of the English, by appearing to exult in their success, and although they must have felt gratified at the fortunate issue of the first encounter, they used the language of lamentation rather than of triumph. Preserving the same respectful attitude to the king, they again addressed a supplication for peace, but required the guarantee of the English parliament for its stability. They had been constrained to enter England, they said, where they had lived upon their own means and provisions, without harming any individual in their persons or goods, till pressed by strength of arms, they were obliged to remove the forces, who, contrary to their inclinations, and against their own conscience, opposed their peaceable passage of the Tyne, and they submissively entreated his majesty, that he would at last take into his serious consideration, their pressing grievances, provide for repairing their wrongs and losses, and with the advice of a parliament in England, settle a firm and durable peace, so that his throne might be established in the midst of them. \*

The Scottish supplication, was the forerunner of petitions from the nobles, from the city of London, from the county of York, and from several other counties, representing their own grievances, and praying, that a parliament might be assembled to redress them, and a treaty concluded with the Scots. The high royalists had done every thing in their power, to prevent the voice of the people from reaching the throne. The privy council, when they heard that the city of London intended to petition, wrote the lord mayor and aldermen, warning them against giving countenance to such an unwarrantable proceeding, and the lords Wharton and Howard, who had presented some of the petitions to his majesty at York, were thrown into jail, and a council of war held upon their conduct, by which, on the motion of the earl of Strafford, they were condemned to be shot at the head of the army as movers of sedition, and

\* Rushworth, vol. iii. p. 1255.

the sentence would have been carried into effect, but for the marquis of Hamilton, who, when the council rose, asked Strafford if he was sure of the army, and he on inquiry, finding a strong disposition to revolt prevalent, deemed it prudent not to proceed.\*

Charles himself would never believe in the universal prevalence of discontent, nor in the weakness of his power, when opposed to the torrent of public opinion. His courtiers represented the complaints of the people as unfounded, and the petitions as improperly obtained, and flattered his notions of the irresistible influence, as well as divine right of the crown; he in consequence, pursued rash, uncomplying measures; hated all that offered prudent and moderate counsels; thought they proceeded from a meanness of spirit, or a desire in those who offered them, to advance their own interest by sacrificing his authority, or from republican principles; † and even when he found it necessary to follow such advice, he hated those who gave it; but above all, the free representations of the house of commons were peculiarly disagreeable, and he looked forward with an abhorrent reluctance to their meeting. To avoid convoking this obnoxious assembly, he had recourse to an old, and almost obsolete expedient; he summoned a council of nobles to meet at York; and to stop the progress of the Scots, he ordered Lanark to return a conciliatory message, informing them of his having done so, and requiring them to state their demands specifically, as their supplication was too general, which he would submit to the consideration of the peers, and with their advice, return such an answer as might be consistent with his honour, and the welfare of his dominions.

In reply, the Scottish chiefs repeated what they had published in their declaration; that his majesty would be graciously pleased to ratify the acts of the last parliament; that the castle of Edinburgh, and other fortresses in Scotland, should be occupied, as they were originally intended, only for the security and defence of the country; that Scottishmen in England and Ireland, should not be molested for having sub-

\* Burnet's Hist. vol. i. p. 37.

† Ibid. vol. i. p. 38.

scribed the covenant, nor forced to take oaths in opposition to that engagement, and the laws of their own land; that the common incendiaries, the authors of these combustions, should be brought to punishment; the ships and goods sequestered, restored; the expense and loss occasioned by the war, repaired, and that, with the advice and concurrence of the English parliament, the declarations denouncing them as traitors, be recalled, the frontier garrisons dismissed, all impediments to a free trade removed, and peace established on a basis not liable to yearly interruption by force, or at the pleasure of their adversaries.

Neither of the parties were averse to negotiate. The king's army, inferior in numbers, and heartless in the cause, were willing to attribute their defeat to disaffection, rather than want of courage, and ready to confirm their vindication by a mutiny. Strafford alone advised the king to stake his chance upon a desperate throw, to appeal to the instinctive love of country, and the natural indignation which Englishmen must have felt at the invasion of their territory, and the exaction of contributions, and to their feelings of honour, to wipe away the disgrace their arms had suffered; but the representations of the marquis of Hamilton, and the certainty almost of a number of English noblemen being well affected to the Scots, inclined the king to the milder, although, as the event proved, not the safer plan of treating.

Nor were the Scots free from difficulty and embarrassment; they were still without any co-operation from their friends in England, their provisions ran low, their cash was nearly expended, and their credit considerably under par. In these circumstances, they had been constrained for self-preservation, to depart in some degree, from the conduct they observed on their first entry into England, and levy their subsistence in the counties they occupied. The estates of the Canterburian faction, who, as the authors of the war, were objects of fair plunder, being unable to furnish supplies, Newcastle was required to contribute two hundred pounds, the county of Northumberland three hundred, and the bishopric of Durham three hundred and fifty a day, for the current expenses, and the manner in which these impositions were exacted, was

beginning to exasperate the minds of the inhabitants against their friendly invaders.\* The soldiers, unaccustomed to remain so long in camp, began to be afflicted with distempers arising from cold and exposure, or tired with the protracted campaign, to desert in considerable numbers, and return home. Some of the officers showed symptoms of discontent, and their union was only prevented from being broken, by the accidental discovery of a secret correspondence carried on with the king, by Montrose.

This ambitious and unprincipled nobleman, who had been driven into the arms of the covenanters, by the neglect of his sovereign, was regained by his condescending affability at Berwick. His conduct had been viewed with suspicion for some time before, but during the expedition, he had behaved with great apparent zeal, and as he had ever advocated the most extreme measures in parliament, so he seemed ready to support them in the field; he was the first covenanter who set hostile foot in England, yet he had engaged in a bond with several other noblemen, to support the despotic pretensions of the king, and was holding private communication with him.† An act had passed the committee of war, that no person should send any letter to court, except it had been seen and approved of, by at least three of their number. Montrose, in consequence, read to the committee, several letters, which he proposed sending to some of his friends there, but in sealing them up, he enclosed, within one to Sir Richard Graham, an-

\* Some of the gentlemen who were unable to furnish their quotas of the assessment, had their cattle seized, those who were employed to collect the money, exacted double, of which they kept the one half, and through ignorance or misinformation, heavy sums were taken from friends, instead of enemies. Numbers of the lower English, disguising themselves with blue bonnets, as Scots, robbed and plundered indiscriminately, and servants of the clergy, left to take charge of their houses in their absence, carried off the property intrusted to their care, and laid the blame upon the enemy. The mayor and aldermen of Newcastle, having pled their inability to raise two hundred pounds daily, had a guard placed on their Town house, till they satisfied the commissioners. All this while securities were proffered for the monies which were levied under the name of loans. Baillie, vol. i. p. 219-20. Rushworth, vol. iii. p. 124-78.

† Burnet's Memoirs, p. 179. Baillie, vol. i. p. 210.

other, which had not been seen, addressed to the king. When the letters were delivered, Sir Richard, opening his carelessly, the enclosure fell out. The Scottish envoy, Sir James Mercer, who was standing near, politely stooping down, lifted it, and observed the direction. On his return to the camp, he informed the general, who proposed in the committee, of which Montrose was at the time president, to send for the gentleman who had carried their letters to court, and examine him, with regard to what letters he had delivered. When called, he related to the committee what he had told the general. Seeing he was discovered, Montrose endeavoured to defend his conduct, by alleging that others did the same; but he was reminded, that the guilt of others did not excuse him; that they, if discovered, would be equally liable to censure, and was commanded to confine himself to his chamber. His first resolution was to try how many of his friends would support him, an advice from the general, however, recommending him to remain quiet, unless he wished to be tried capitally by a council of war, induced him to produce a copy of the letter he said he had written to his majesty, and crave pardon, on which the affair was hushed up, and passed over for the time, the powerful connexions, and high reputation of the earl, rendering it then impolitic to pursue it further.

Amid their mutual professions for peace, both were anxious to be prepared for an opposite result. Charles ordered all the train bands north of the Trent to be called out, and to hold themselves in readiness to march at twenty-four hours notice. The counties were required to furnish provisions, arms, and ammunition were provided, and all the garrisons strengthened, and put in a state of defence. Leslie wrote to the committee at Edinburgh, for recruits, to supply the deficiencies of war, and a re-enforcement of at least five thousand men, a request with which the internal quiet of the country enabled them to comply. Four thousand foot who had been employed in the north, under lords Marischall, Home, and Lindsay, and major general Monro, were despatched to join their brethren in England. Soon after, the earl of Argyle followed accompanied by a number of gentle-

men and vassals belonging to the clan, and the earl of Eglinton, who had been employed in watching the west coast, now that the danger there was over, were also commanded to keep themselves ready for marching on the first call.

On the 24th of September, the great council of the peers assembled at York, in the dean's house, near the Minster. At nine o'clock in the forenoon, the king arrived, and being seated in state, informed them of the reasons which had induced him to call them together, in conformity with the practice of his predecessors in times of imminent danger. An army of rebels were now, he told them, lodged within the kingdom, and he wished their advice and assistance, to chastise their insolence, and protect his faithful subjects. Sensible, from the petition he had received since he called this meeting, that a number, if not a majority of the peers participated in the popular feelings, and that however averse, he would be obliged to comply, he naturally concluded that their first proposal would be to call a parliament, and he anticipated this by informing them, that he had already given orders to issue writs for its assembling on the 3d of November. He then desired their advice, as to what answer he should return to the petition of the rebels, and how he should treat with them; next, how his army was to be supported, till the supplies could be obtained in parliament, as it was impossible to disband it while the Scots remained in the country. To meet the first exigence, it was resolved to appoint sixteen of the most influential and popular noblemen, assisted by the earls of Traquair, Morton, and Lanark, Mr. Secretary Vane, Sir Lewis Stewart, and Sir John Burrough, persons acquainted with the laws of Scotland, and with the previous transactions, to treat with commissioners from the Scots. The last required rather longer deliberation; Strafford represented, that the royal army, amounting to twenty thousand foot, and between two and three thousand horse, with three regiments of loyal Scots, were in arrears for a fortnight's subsistence; that two hundred thousand pounds would be requisite to support them for three months, and, the king's treasury being completely drained, proposed borrowing the money from the city of London. To this motion the council consented, all the peers

present agreeing to become security for the repayment of the loan. York was at first mentioned as the place of meeting for the commissioners, but the Scots, who were highly incensed against the earl of Strafford, for his procuring them to be declared traitors and rebels, declined intrusting themselves in the midst of an army of which he had the command. Northallerton was next proposed, and rejected; at last, Rippon, a town about fifteen miles from York was fixed upon, where the commissioners of both nations arrived on the first of October.

After exchanging commissions, the English were for immediately proceeding to negotiate, but the Scots, previously to entering upon any discussion, insisted upon Traquair being removed as one of the incendiaries, who, by his misrepresentations to the king and his council, had incensed them against his own countrymen, nor would they consent to the other assistants acting with the commissioners, as they were not named in his majesty's commission. The English noblemen represented their ignorance of the Scottish constitution, and the necessity of persons who were acquainted with it being present. The Scots, however, still insisted, and the matter was referred to the king, who agreed that the assistants should not take any public share in the business, but only be advised with privately, which was, he said, the purpose for which they had been originally nominated. While waiting for his majesty's answer, the English commissioners, in their private interviews, reproached the Scots for their scrupulous caution, and they retorted, by accusing their tardy motions, and their failure in fulfilling the promises on which they had depended. The noblemen, astonished at the charge, denied its justice, when lord Saville's letter was produced, and the forgery detected; yet, so well had it been executed, that when the nobles whose names were attached to it, saw the fictitious signatures, they confessed they were so like their handwriting, that but for the consciousness of never having seen such a paper, they durst scarcely have affirmed that they were not their own subscriptions. This explanation removed the distance and coldness which had subsisted between the parties,

who, from this time appear to have had a secret understanding with each other, \* and to have acted in concert.

Upon resuming the conference, a cessation of arms was proposed, to which the Scots professed their readiness to accede, but as the districts in which they were stationed had been impoverished, and his majesty had forbid their advancing, neither could they return home with safety, without a treaty were concluded on a firm basis, provision for the daily subsistence of their army became a necessary preliminary, as without some security for this, a truce would be to them more ruinous than a war. The English commissioners allowed the justice of the claim, and desired the others to specify the amount. The Scots demanded forty thousand pounds a month, which was immediately forwarded to the king and council of peers. The council was divided in opinion; lord Herbert strenuously advised the king to fortify York, which would obstruct the progress of the Scots from advancing. Princes, he observed, had sometimes bought a peace from their subjects, but to pay at such a rate, merely for treating, which might, or might not be productive of any beneficial result, was a thing never before heard of; to purchase liberty to treat from rebels, by supporting their army with the money which should pay his own, would be disgraceful; if they were sincere, let his majesty's commissioners propose, that the armies on both sides be disbanded, all things else remaining as they were till a treaty was concluded, but let the money be kept to pay the king's troops, or to raise re-enforcements, if necessary.† By the others, the sum only was objected to, and eight hundred pounds per diem, to be paid weekly, was proposed, and accepted, what provisions or necessaries were wanted for the army, were, at the same time, allowed to be imported from Scotland, duty free, and proper persons nominated on each side, to regulate the price of what was procured in the occupied counties. The Scots agreed to be content with this maintenance, and neither molest papists, prelates, nor their adherents.

\* Clarendon, vol. i. p. 152. Burnet, vol. i. p. 35.

† Rushworth, pp. 1294, 1310.



Under this arrangement the commissioners proceeded, but nearly the whole month of October was consumed in discussing preliminaries, and when the day appointed for the meeting of the English parliament drew near, nothing was concluded. The English nobles, who hated Strafford and Laud scarcely less than the Scots did, and who observed the advantages the latter had reaped from the distresses of the king, hoped to obtain the removal of these ministers, and redress of their country's grievances, by increasing, rather than diminishing his difficulties; for in their intercourse with the Scots, they had imbibed all their distrust of the king's ever doing any thing voluntarily to sooth the feelings, or alleviate the sufferings of his subjects; they were not therefore anxious for the removal of the army, their desire to get rid of the despotism of their government, overcoming the disgrace of allowing a foreign force to pollute their soil. They requested the king to allow the treaty to be transferred from Rippon to London; the Scots to remain in England till it were concluded. The king hesitated; untaught by the example of the more wary committee, who would not treat in York, where only a few of their enemies could have influence, he at last yielded, to continue the discussion in a place filled with malecontents, and where the opposite party had numerous, powerful, and zealous friends.

Had the king, instead of granting this request, declared his determination to assemble no parliament till the country was evacuated, and promised, after the retreat of the Scots to their own homes, that he would then summon one, and refer the treaty to their consideration, he would in all likelihood have either forced the invaders to withdraw of their own accord, or distracted their measures, and raised such a powerful reaction among the inhabitants of the northern counties, as would even yet have enabled him to negotiate with his subjects upon equal terms. but by consenting to the removal of the treaty, and the continuance of the Scots in arms, he gave up every advantage he possessed, and delivered himself hand-bound into the power of parliament.

The Scots, in agreeing to the transfer, relaxed nothing in their demands; but to prevent mistake on the most material

point—the means of keeping their army together till they had obtained their desires—they procured, from the English commissioners, the ratification of a truce, upon as favourable terms as they could have dictated, after the most decisive engagement. It was signed the 26th of October, from which time all acts of hostility by sea and land were to cease; during the treaty, both parties to retain what they then possessed; all estates situate in Northumberland and the bishopric, to be liable, without exception, for the payment of the Scottish subsistence-money, although their owners reside in his majesty's forts beyond the Tees; none of the king's forces, upon either side of the river, to obstruct the contribution, or to take any provision, except what the inhabitants bring voluntarily to them; and any restraint of corn, cattle, or forage, made by the Scots for their better maintenance, to be considered no breach. The eight hundred pounds a day to be only raised out of the counties of Northumberland, the bishopric, town of Newcastle, Cumberland, and Westmoreland. The non-payment to be no breach, but in case of failure, the Scots shall have power to raise the sum, with allowance for the charges of driving, to be set by the commissioners of the forage. No recruits to be brought into either army, and no new fortifications erected while the cessation continues. Thus ended a rash, ill planned, ill conducted campaign, entered into by the king, without the means of supporting one army, and finished by a treaty obliging him to support two.

The Scots were highly delighted with the negotiation, being transferred to London, not only relying upon the good offices of the ablest men in parliament, with whom they were in friendly alliance, but looking forward, with joyful anticipation, to the triumph of presbytery, the establishment of which in England they now considered themselves as especially called upon, by the leadings of God's providence, to attempt. They therefore appointed three of their most eminent divines, besides Henderson, to accompany their commissioners as chaplains, and to combat the prevailing errors of the times. Mr. Robert Baillie was destined to assail the doctrines of Arminius, Mr. George Gillespie to attack the rites and ceremonies of the hierarchy, and Mr. Robert Blair to wrestle

with the Independents. The ministers, who had already distinguished themselves in these various controversies, cheerfully accepted the tasks allotted them, and, along with the commissioners, set out for London, to reach the capital in time to be present at the meeting of parliament. \*

\* The ministers were highly gratified with their journey, but they seem to have grudged the expense; they rode upon little nags, each attended by his servant. "We were by the way great expenses," says Mr. Baillie in a letter to his wife; "their inns are all like palaces; no marvel, they extortion their guests; for three meals, coarse enough, we would pay, together with our horses, sixteen or seventeen pounds Sterling—some three dishes of crevishes, [cray-fish,] like little partans, forty-two shillings Sterling."—Baillie, vol. i. p. 216. Rushworth, p. 1306. Clarendon, vol. i. p. 160. Strafford's Letters.

END OF VOLUME THIRD.









